

By: Thompson of Harris

H.B. No. 266

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the criminal penalty for possession of certain small
3 amounts of controlled substances in Penalty Group 1.

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

5 SECTION 1. Section 481.115(b), Health and Safety Code, is
6 amended to read as follows:

7 (b) An offense under Subsection (a) is a state jail felony
8 if the amount of the controlled substance possessed is, by
9 aggregate weight, including adulterants or dilutants, a usable
10 quantity that is more than 0.02 grams but less than one gram.

11 SECTION 2. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect on the date the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense was
18 committed before that date.

19 SECTION 3. This Act takes effect September 1, 2021.