

By: Lucio III

H.B. No. 2718

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for possession of small amounts of certain controlled substances listed in Penalty Group 2.

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

SECTION 1. Section 481.116, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding any other provision of this section, an offense under Subsection (a) is a Class B misdemeanor if the conduct constituting the offense consisted of possessing one e-cigarette, as defined by Section 161.081, containing tetrahydrocannabinol or a tetrahydrocannabinol derivative or analogue.

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

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