

By: Murr, Cook, et al.

H.B. No. 178

A BILL TO BE ENTITLED

AN ACT

relating to testing possible controlled substance evidence for a controlled substance included in Penalty Group 1-B.

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

SECTION 1. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.51 to read as follows:

Art. 38.51. EVIDENCE TESTING FOR CONTROLLED SUBSTANCES. If evidence that may be a controlled substance is submitted to a laboratory for testing and it is reasonably possible that the substance is or contains a controlled substance included in Penalty Group 1-B under Section 481.1022, Health and Safety Code, a test must be performed following validated laboratory procedures and sampling protocols to determine whether the substance is or contains a controlled substance included in Penalty Group 1-B.

SECTION 2. The change in law made by this Act applies only to evidence submitted for testing on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2023.