

By: Murr, Cook

H.B. No. 178

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to testing possible controlled substance evidence for  
3 fentanyl.

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

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

7 Art. 38.51. EVIDENCE TESTING FOR CONTROLLED SUBSTANCES. If  
8 evidence that may be a controlled substance is submitted to a  
9 laboratory for testing and it is reasonably possible that the  
10 substance is or contains fentanyl, a test must be performed  
11 following validated laboratory procedures and sampling protocols  
12 to determine whether the substance is or contains fentanyl.

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

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