

By: Capriglione

H.B. No. 166

A BILL TO BE ENTITLED

AN ACT

relating to committing the criminal offense of endangering a child, elderly individual, or disabled individual by engaging in certain conduct involving a controlled substance listed in Penalty Group 1-B of the Texas Controlled Substances Act.

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

SECTION 1. Section 22.041(c-1), Penal Code, is amended to read as follows:

(c-1) For purposes of Subsection (c), it is presumed that a person engaged in conduct that places a child, elderly individual, or disabled individual in imminent danger of death, bodily injury, or physical or mental impairment if:

(1) the person manufactured, possessed, or in any way introduced into the body of any person the controlled substance methamphetamine or a controlled substance listed in Penalty Group 1-B, Section 481.1022, Health and Safety Code, in the presence of the child, elderly individual, or disabled individual;

(2) the person's conduct related to the proximity or accessibility of the controlled substance methamphetamine or a controlled substance listed in Penalty Group 1-B, Section 481.1022, Health and Safety Code, to the child, elderly individual, or disabled individual and an analysis of a specimen of the child's or individual's blood, urine, or other bodily substance indicates the presence of methamphetamine or a controlled substance listed in

1 Penalty Group 1-B in the body of the child or individual; or

2 (3) the person injected, ingested, inhaled, or
3 otherwise introduced a controlled substance listed in Penalty Group
4 1, Section 481.102, Health and Safety Code, or Penalty Group 1-B,
5 Section 481.1022, Health and Safety Code, into the human body when
6 the person was not in lawful possession of the substance as defined
7 by Section 481.002(24) of that code.

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

16 SECTION 3. This Act takes effect September 1, 2025.