

By: Oliverson, Garcia Hernandez, McQueeney,
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H.B. No. 1644

A BILL TO BE ENTITLED

AN ACT

relating to the use, possession, delivery, or manufacture of
testing equipment that identifies the presence of a substance
listed in Penalty Group 1-B or xylazine.

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

SECTION 1. Section 481.125, Health and Safety Code, is
amended by adding Subsection (j) to read as follows:

(j) This section does not apply to a person who uses,
possesses with intent to use, delivers, possesses with intent to
deliver, or manufactures with intent to deliver testing equipment
that identifies the presence of a substance listed in Penalty Group
1-B or xylazine.

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 at the time 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 occurred
before that date.

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