

AN ACT

relating to increasing the criminal penalties for the offenses of providing or possessing with the intent to provide an alcoholic beverage, a controlled substance, or a dangerous drug to a person in the custody of a correctional facility, taking an alcoholic beverage, a controlled substance, or a dangerous drug into a correctional facility, and taking a controlled substance or dangerous drug on property owned, used, or controlled by a correctional facility.

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

SECTION 1. Section 38.11, Penal Code, is amended by amending Subsection (g) and adding Subsections (g-1) and (g-2) to read as follows:

(g) Except as otherwise provided by Subsections (g-1) and (g-2), an ~~An~~ offense under this section is a felony of the third degree.

(g-1) Except as otherwise provided by Subsection (g-2), an offense under Subsection (a)(1), (b), or (c) committed with respect to a correctional facility is a felony of the second degree if the actor is employed by the correctional facility.

(g-2) An offense under Subsection (a)(1), (b), or (c) committed with respect to a correctional facility is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or

1 less than 15 years, and a fine not to exceed \$250,000 if:

2 (1) the actor is employed by the correctional
3 facility; and

4 (2) the ingestion, inhalation, injection, or other
5 administration of the controlled substance or dangerous drug that
6 is the subject of the offense causes the death of a person in the
7 custody of the correctional facility.

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.

H.B. No. 3464

President of the Senate

Speaker of the House

I certify that H.B. No. 3464 was passed by the House on May 6, 2025, by the following vote: Yeas 147, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3464 on May 28, 2025, by the following vote: Yeas 128, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3464 was passed by the Senate, with amendments, on May 23, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor