

1-1 By: Meza, et al. (Senate Sponsor - West, et al.) H.B. No. 3464
1-2 (In the Senate - Received from the House May 6, 2025;
1-3 May 7, 2025, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 21, 2025, sent to printer.)

1-7 COMMITTEE VOTE

| 1-8 | Yea | Nay | Absent | PNV |
|------|---------------------|-----|--------|-----|
| 1-9 | Flores | X | | |
| 1-10 | Parker | X | | |
| 1-11 | Hagenbuch | X | | |
| 1-12 | Hinojosa of Hidalgo | X | | |
| 1-13 | Huffman | | X | |
| 1-14 | King | X | | |
| 1-15 | Miles | X | | |

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3464 By: Flores

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to increasing the criminal penalties for the offenses of
1-20 providing or possessing with the intent to provide an alcoholic
1-21 beverage, a controlled substance, or a dangerous drug to a person in
1-22 the custody of a correctional facility, taking an alcoholic
1-23 beverage, a controlled substance, or a dangerous drug into a
1-24 correctional facility, and taking a controlled substance or
1-25 dangerous drug on property owned, used, or controlled by a
1-26 correctional facility.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 38.11, Penal Code, is amended by
1-29 amending Subsection (g) and adding Subsections (g-1) and (g-2) to
1-30 read as follows:

1-31 (g) Except as otherwise provided by Subsections (g-1) and
1-32 (g-2), an ~~An~~ offense under this section is a felony of the third
1-33 degree.

1-34 (g-1) Except as otherwise provided by Subsection (g-2), an
1-35 offense under Subsection (a)(1), (b), or (c) committed with respect
1-36 to a correctional facility is a felony of the second degree if the
1-37 actor is employed by the correctional facility.

1-38 (g-2) An offense under Subsection (a)(1), (b), or (c)
1-39 committed with respect to a correctional facility is a felony of the
1-40 first degree punishable by imprisonment in the Texas Department of
1-41 Criminal Justice for life or for a term of not more than 99 years or
1-42 less than 15 years, and a fine not to exceed \$250,000 if:

1-43 (1) the actor is employed by the correctional
1-44 facility; and

1-45 (2) the ingestion, inhalation, injection, or other
1-46 administration of the controlled substance or dangerous drug that
1-47 is the subject of the offense causes the death of a person in the
1-48 custody of the correctional facility.

1-49 SECTION 2. The change in law made by this Act applies only
1-50 to an offense committed on or after the effective date of this Act.
1-51 An offense committed before the effective date of this Act is
1-52 governed by the law in effect on the date the offense was committed,
1-53 and the former law is continued in effect for that purpose. For
1-54 purposes of this section, an offense was committed before the
1-55 effective date of this Act if any element of the offense occurred
1-56 before that date.

1-57 SECTION 3. This Act takes effect September 1, 2025.

1-58 * * * * *