

By: Menéndez

S.B. No. 734

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing the possession, use, cultivation,  
3 distribution, delivery, sale, and research of medical cannabis for  
4 medical use by patients with certain medical conditions and the  
5 licensing of medical cannabis organizations; authorizing a fee.

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

7 ARTICLE 1. CHANGES TO TEXAS COMPASSIONATE USE PROGRAM

8 SECTION 1.01. Section 487.001, Health and Safety Code, is  
9 amended to read as follows:

10 Sec. 487.001. DEFINITIONS. In this chapter:

11 (1) "Caregiver" means a person who has a significant  
12 responsibility for managing the well-being of a registered patient.  
13 A caregiver may be either an individual or an organization or other  
14 entity, including a long-term care facility, other health care  
15 organization, or public institution.

16 (2) "Department" means the Department of Public  
17 Safety.

18 (3) ~~[(2)]~~ "Director" means the public safety director  
19 of the department.

20 ~~[(3)]~~ ~~"Dispensing organization" means an organization~~  
21 ~~licensed by the department to cultivate, process, and dispense~~  
22 ~~low-THC cannabis to a patient for whom low-THC cannabis is~~  
23 ~~prescribed under Chapter 169, Occupations Code.]~~

24 (4) "Medical [Low-THC] cannabis" has the meaning

1 assigned by Section 169.001, Occupations Code.

2 (5) "Medical cannabis organization" means any  
3 organization that cultivates, processes, manufactures,  
4 distributes, researches, tests, dispenses, or conducts other  
5 business regarding medical cannabis as authorized by a license  
6 issued by the department under this chapter.

7 (6) "Medical cannabis product" means a product, other  
8 than cannabis itself, which contains or is derived from cannabis.  
9 The term does not include a product derived from hemp, as defined by  
10 Section 121.001, Agriculture Code, or a consumable hemp product, as  
11 defined by Section 443.001 of this code.

12 (7) "Medical use" has the meaning assigned by Section  
13 169.001, Occupations Code.

14 SECTION 1.02. Subchapter A, Chapter 487, Health and Safety  
15 Code, is amended by adding Section 487.002 to read as follows:

16 Sec. 487.002. ALLOWABLE AMOUNT OF MEDICAL CANNABIS. The  
17 allowable amount of medical cannabis for a person for whom medical  
18 use is recommended under Chapter 169, Occupations Code, is an  
19 amount of cannabis in any form approved by the physician possessed  
20 by a qualified patient or collectively possessed by a qualified  
21 patient and the qualified patient's caregiver that is:

22 (1) not more than reasonably necessary to ensure the  
23 uninterrupted availability of cannabis for a period of three months  
24 based on the individual patient's recommended amount of medical  
25 cannabis; and

26 (2) obtained solely from a medical cannabis  
27 organization.

1 SECTION 1.03. Chapter 487, Health and Safety Code, is  
2 amended by adding Subchapter A-1 to read as follows:

3 SUBCHAPTER A-1. PROTECTIONS RELATED TO MEDICAL USE OF CANNABIS

4 Sec. 487.021. PROTECTION FROM LEGAL ACTION. (a) This  
5 section applies to a person who is:

6 (1) a patient for whom medical use is recommended  
7 under Chapter 169, Occupations Code, or the parent, legal guardian,  
8 or caregiver of a patient;

9 (2) a medical cannabis organization;

10 (3) a director, manager, or employee of a medical  
11 cannabis organization who is registered with the department under  
12 Section 487.053; or

13 (4) a person participating as a researcher or patient  
14 in an approved research program under Subchapter G, Chapter 481.

15 (b) Notwithstanding any other law, a person described by  
16 Subsection (a) is not subject to arrest, prosecution, or penalty in  
17 any manner, or denial of any right or privilege, including any civil  
18 penalty or disciplinary action by a court or occupational or  
19 professional licensing board or bureau, for conduct involving  
20 medical use that is authorized under this chapter, Subchapter G,  
21 Chapter 481, of this code, Chapter 169, Occupations Code, or  
22 department rule.

23 Sec. 487.022. NO PRESUMPTION OF CHILD ABUSE, NEGLECT, OR  
24 ENDANGERMENT. A person described by Section 487.021(a) may not be  
25 presumed to have engaged in conduct constituting child abuse,  
26 neglect, or endangerment solely because the person engaged in  
27 conduct involving medical use that is authorized under this

1 chapter, Subchapter G, Chapter 481, of this code, Chapter 169,  
2 Occupations Code, or department rule.

3 Sec. 487.023. NO DENIAL OF PARENTAL RIGHTS. The fact that a  
4 person described by Section 487.021(a) engages in conduct  
5 authorized under this chapter, Subchapter G, Chapter 481, of this  
6 code, Chapter 169, Occupations Code, or department rule, does not  
7 in itself constitute grounds for denying, limiting, or restricting  
8 conservatorship or possession of or access to a child under Title 5,  
9 Family Code.

10 Sec. 487.024. NO SEIZURE OR FORFEITURE. Property used in  
11 the cultivation, research, testing, processing, distribution,  
12 transportation, and delivery of medical cannabis for medical use  
13 that is authorized under this chapter, Subchapter G, Chapter 481,  
14 of this code, Chapter 169, Occupations Code, or department rule, is  
15 not contraband for purposes of Chapter 59, Code of Criminal  
16 Procedure, and is not subject to seizure or forfeiture under that  
17 chapter or other law solely for the use of the property in those  
18 authorized activities.

19 Sec. 487.025. NO PROSECUTION FOR PROVISION OF  
20 PARAPHERNALIA. A person is not subject to arrest, prosecution, or  
21 the imposition of any sentence or penalty for the delivery,  
22 possession with intent to deliver, or manufacture of any item that  
23 meets the definition of drug paraphernalia, as defined by Section  
24 481.002, if that item is delivered, possessed with intent to  
25 deliver, or manufactured for the sole purpose of providing that  
26 item to:

27 (1) a patient for whom medical use is recommended

1 under Chapter 169, Occupations Code, or the parent, legal guardian,  
2 or caregiver of a patient;

3 (2) a medical cannabis organization;

4 (3) a director, manager, or employee of a medical  
5 cannabis organization who is registered with the department under  
6 Section 487.053; or

7 (4) a person participating as a researcher or patient  
8 in an approved research program under Subchapter G, Chapter 481.

9 Sec. 487.026. NO PUNISHMENT FOR STUDENT PATIENTS AND THEIR  
10 CAREGIVERS. Notwithstanding any other law:

11 (1) a student enrolled in any school, junior college,  
12 college, university, or other educational institution for whom  
13 medical cannabis was recommended under Chapter 169, Occupations  
14 Code, may not be subject to suspension, expulsion, placement in a  
15 disciplinary alternative education program, or any other form of  
16 discipline solely because the student possessed, used, or received  
17 a valid recommendation for medical cannabis; and

18 (2) a health care professional providing services at  
19 any school, junior college, college, university, or other  
20 educational institution may not be subject to any discipline solely  
21 for assisting a student in the administration of medical cannabis.

22 SECTION 1.04. Section 487.052, Health and Safety Code, is  
23 amended to read as follows:

24 Sec. 487.052. RULES; FEES. (a) The director shall adopt  
25 any rules necessary for the administration and enforcement of this  
26 chapter.

27 (b) The director shall adopt [~~including~~] rules imposing

1 reasonable fees under this chapter in amounts sufficient to cover  
2 the cost of administering this chapter. The department shall also  
3 use revenue from fees to establish a cannabis testing and quality  
4 control fund for the purpose of assisting law enforcement,  
5 including accredited crime laboratories, to purchase instruments,  
6 establish methods, and obtain resources needed to conduct forensic  
7 analysis necessary to enforce this subtitle and to protect the  
8 health and safety of medical cannabis patients and the public.

9 (c) The fees adopted under Subsection (b) may not exceed:

10 (1) \$5,000 for application fees;

11 (2) \$100 for registration fees under Subchapter D; and

12 (3) reasonable amounts for the issuance or renewal of  
13 each class of license.

14 (d) The director may not adopt rules establishing a total  
15 limit on the number of medical cannabis organization licenses by  
16 class that may be granted nor set the price of or production  
17 quantity of medical cannabis.

18 SECTION 1.05. Subchapter B, Chapter 487, Health and Safety  
19 Code, is amended by adding Sections 487.0521 and 487.0522 to read as  
20 follows:

21 Sec. 487.0521. SAFETY. (a) The director by rule shall  
22 adopt packaging and labeling requirements for medical cannabis to  
23 ensure patients are informed and protected. In adopting packaging  
24 and labeling requirements, the director shall ensure that:

25 (1) each medical cannabis package is labeled with the  
26 cannabinoid potency and terpenes profile of medical cannabis or  
27 medical cannabis product as determined by an independent testing

1 laboratory;

2 (2) each medical cannabis product and medical cannabis  
3 package is labeled with the required warnings as determined by the  
4 department; and

5 (3) the packaging and label of medical cannabis or a  
6 medical cannabis product:

7 (A) do not contain any false or misleading  
8 statements; and

9 (B) are not designed to appeal to children.

10 (b) The director shall adopt necessary rules to allow the  
11 department to monitor the safety and efficacy of medical cannabis  
12 or medical cannabis products, including rules:

13 (1) requiring accurate reporting to consumers  
14 regarding the content of medical cannabis or medical cannabis  
15 products;

16 (2) providing for random testing by the department or  
17 the department's designee to ensure compliance with labeling and  
18 reporting requirements; and

19 (3) providing for health and safety regulations and  
20 standards for the manufacture and cultivation of medical cannabis  
21 and medical cannabis products.

22 (c) The director may collect data from medical cannabis  
23 organizations and health care providers as necessary to enable the  
24 department to monitor the safety and efficacy of medical cannabis.  
25 The director may adopt rules for the data collection under this  
26 subsection.

27 Sec. 487.0522. MEDICAL CANNABIS INVENTORY SYSTEM. (a) The

1 department shall establish and maintain a medical cannabis  
2 inventory system that oversees the tracking, tracing, testing, and  
3 quality control and quality assurance certification of medical  
4 cannabis and medical cannabis products.

5 (b) The department may contract with other entities to  
6 establish and maintain all or part of the medical cannabis  
7 inventory system on behalf of the department.

8 (c) A medical cannabis organization shall use the medical  
9 cannabis inventory system approved by the department to keep  
10 records throughout the cannabis supply chain, including for every  
11 transaction between license holders and between license holders and  
12 patients. A medical cannabis organization may additionally use its  
13 own system for keeping records under this chapter provided the  
14 organization's system can integrate with the department's medical  
15 cannabis inventory system as required under this chapter and rules  
16 adopted under this chapter.

17 (d) The records in the medical cannabis inventory system  
18 must include for each transaction:

19 (1) the name, license number, and assigned  
20 identification number of the license holder that cultivated,  
21 manufactured, tested, or sold the product;

22 (2) the address and phone number of the license holder  
23 that cultivated, manufactured, tested, or sold the product;

24 (3) the type and weight of medical cannabis or medical  
25 cannabis product transferred or received during the transaction;

26 (4) the batch number of the medical cannabis or  
27 medical cannabis product used;



1           (5) the date of the transaction;  
2           (6) the total spent in dollars; and  
3           (7) any additional information the department  
4 requires.

5           (e) The records in the medical cannabis inventory system  
6 must include for each license holder:

7           (1) the amount of any medical cannabis waste, in  
8 pounds;

9           (2) all point-of-sale records; and

10           (3) any additional information the department  
11 requires.

12           (f) Notwithstanding Subsection (c), before the department  
13 establishes the medical cannabis inventory system described by that  
14 subsection, each license holder shall use its own inventory system  
15 that meets the requirements of this section.

16           (g) Each medical cannabis organization has a continuing  
17 responsibility to maintain records on site that are readily  
18 available to the department regardless of the functionality of the  
19 medical cannabis inventory system, including the criteria  
20 established by this section and any requirements established by  
21 rule.

22           (h) The director shall adopt rules necessary for the  
23 implementation and enforcement of this section, including rules  
24 ensuring:

25           (1) the department has 24-hour access to the medical  
26 cannabis inventory system; and

27           (2) all inventory records containing patient

1 information comply with Chapter 181 and the Health Insurance  
2 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d  
3 et seq.).

4 SECTION 1.06. The heading to Section 487.053, Health and  
5 Safety Code, is amended to read as follows:

6 Sec. 487.053. LICENSING OF MEDICAL CANNABIS [~~DISPENSING~~]  
7 ORGANIZATIONS AND REGISTRATION OF CERTAIN ASSOCIATED INDIVIDUALS.

8 SECTION 1.07. Section 487.053(a), Health and Safety Code,  
9 is amended to read as follows:

10 (a) The department shall:

11 (1) issue or renew a license under Subchapter C to  
12 operate as a medical cannabis [~~dispensing~~] organization to each  
13 applicant who satisfies the requirements established under this  
14 chapter for licensure under that class of medical cannabis  
15 organization; [and]

16 (2) register directors, managers, and employees under  
17 Subchapter D of each medical cannabis [~~dispensing~~] organization;

18 (3) issue a permit for an additional location to a  
19 dispensing cannabis organization license holder on application if  
20 the license holder is in compliance with all eligibility  
21 requirements and the proposed location complies with any local  
22 zoning requirements and will assist with ensuring reasonable  
23 statewide access;

24 (4) to ensure reasonable statewide access, issue not  
25 fewer than the following number of licenses or permits, as  
26 applicable, for each type of medical cannabis organization provided  
27 the department receives an adequate number of qualified

1 applications:

2 (A) dispensing cannabis organization licenses or  
3 permits for an additional location for a dispensing cannabis  
4 organization license holder, as applicable, based on population  
5 within each of the 11 public health regions established by the  
6 Health and Human Services Commission, as follows:

- 7 (i) 9 in public health region 1;
- 8 (ii) 6 in public health region 2;
- 9 (iii) 82 in public health region 3;
- 10 (iv) 12 in public health region 4;
- 11 (v) 8 in public health region 5;
- 12 (vi) 75 in public health region 6;
- 13 (vii) 37 in public health region 7;
- 14 (viii) 31 in public health region 8;
- 15 (ix) 7 in public health region 9;
- 16 (x) 9 in public health region 10; and
- 17 (xi) 24 in public health region 11;

18 (B) one cultivation cannabis organization  
19 license for every four dispensing cannabis organization licenses;

20 (C) one processing cannabis organization license  
21 for every three dispensing cannabis organization licenses; and

22 (D) the number of independent testing cannabis  
23 organization licenses necessary to meet demand;

24 (5) when the number of registered medical cannabis  
25 patients reaches 100,000, issue not fewer than 24 additional  
26 dispensing cannabis organization licenses or location permits, as  
27 applicable, and the appropriate number of other medical cannabis

1 organization license types as prescribed by Subdivision (4); and  
2 (6) for each additional 100,000 registered medical  
3 cannabis patients beyond the first 100,000 patients described by  
4 Subdivision (5), issue not fewer than 24 additional dispensing  
5 cannabis organization licenses or location permits, as applicable,  
6 and the appropriate number of other medical cannabis organization  
7 license types as prescribed by Subdivision (4).

8 SECTION 1.08. Section 487.054, Health and Safety Code, is  
9 amended to read as follows:

10 Sec. 487.054. COMPASSIONATE-USE REGISTRY. (a) The  
11 department shall establish and maintain a secure online  
12 compassionate-use registry that contains:

13 (1) the name of each physician who registers as a  
14 physician recommending medical cannabis and for each patient for  
15 whom the physician has registered:

16 (A) ~~[the prescriber for a patient under Section~~  
17 ~~169.004, Occupations Code,~~ the patient's name, and any caregivers'  
18 names, if applicable;

19 (B) the patient's ~~and~~ date of birth;

20 (C) the nature of the patient's eligible medical  
21 condition;

22 (D) ~~[of the patient,~~ the dosage recommended;

23 (E) ~~[prescribed,~~ the means of administration  
24 ordered; ~~]~~ and

25 (F) the total amount of medical ~~[low-THC]~~  
26 cannabis required to fill the patient's recommendation  
27 ~~[prescription];~~ and

1 (2) a record of each amount of medical [~~low-THC~~]  
2 cannabis dispensed by a medical cannabis [~~dispensing~~] organization  
3 to a patient under a recommendation [~~prescription~~].

4 (b) The department shall ensure the registry:

5 (1) is designed to prevent more than one qualified  
6 physician from registering as the recommending physician  
7 [~~prescriber~~] for a single patient;

8 (2) is accessible to law enforcement agencies and  
9 medical cannabis [~~dispensing~~] organizations licensed to dispense  
10 medical cannabis for the purpose of verifying whether a patient is  
11 one for whom medical [~~low-THC~~] cannabis is recommended [~~prescribed~~]  
12 and whether the patient's recommendations [~~prescriptions~~] have  
13 been filled; [~~and~~]

14 (3) allows a physician [~~qualified to prescribe low-THC~~  
15 ~~cannabis under Section 169.002, Occupations Code,~~] to input safety  
16 and efficacy data derived from the treatment of patients for whom  
17 medical [~~low-THC~~] cannabis is recommended [~~prescribed~~] under  
18 Chapter 169, Occupations Code, including any severe adverse effects  
19 due to the medical use of medical cannabis; and

20 (4) ensures that all application records and  
21 information are sealed to protect the privacy of patients.

22 (c) The handling of any records maintained in the registry  
23 must comply with all relevant state and federal privacy laws,  
24 including Chapter 181.

25 SECTION 1.09. Subchapter B, Chapter 487, Health and Safety  
26 Code, is amended by adding Section 487.055 to read as follows:

27 Sec. 487.055. DESIGNATION OF CAREGIVER. (a) A patient

1 listed in the compassionate-use registry may designate a caregiver.  
2 A caregiver designated under this subsection may be either an  
3 individual or an organization or other entity, including a  
4 long-term care facility, other health care organization, or public  
5 institution.

6 (b) The department shall develop a form for a patient listed  
7 in the registry to designate a caregiver under Subsection (a). The  
8 form must require the patient to provide the full name, home  
9 address, and date of birth of the patient's caregiver or, in the  
10 case of a caregiver that is an entity, the entity's name and  
11 address.

12 (c) A caregiver may possess medical cannabis and medical  
13 cannabis products up to the sum of the possession limits for all  
14 patients under the caregiver's care.

15 (d) The director shall adopt rules necessary to implement  
16 this section, including rules to provide identification cards for  
17 designated caregivers.

18 SECTION 1.10. The heading to Subchapter C, Chapter 487,  
19 Health and Safety Code, is amended to read as follows:

20 SUBCHAPTER C. LICENSE TO OPERATE AS MEDICAL CANNABIS [~~DISPENSING~~]  
21 ORGANIZATION

22 SECTION 1.11. Section 487.101, Health and Safety Code, is  
23 amended to read as follows:

24 Sec. 487.101. LICENSE REQUIRED. (a) A license issued by  
25 the department under this chapter is required to operate a medical  
26 cannabis [~~dispensing~~] organization.

27 (b) The director by rule shall adopt application and

1 licensing requirements and privileges of each medical cannabis  
2 organization license type.

3 (c) Medical cannabis organization license types shall  
4 include the following:

5 (1) a cultivating cannabis organization that  
6 cultivates medical cannabis for sale and distribution to other  
7 medical cannabis organizations and may process and package medical  
8 cannabis for individual sale so long as the cannabis is not  
9 subjected to any chemical alteration;

10 (2) a processing cannabis organization that extracts  
11 medical cannabis and manufactures, prepares, and packages medical  
12 cannabis products for sale and distribution to other medical  
13 cannabis organizations;

14 (3) a dispensing cannabis organization that sells  
15 medical cannabis and medical cannabis products to patients;

16 (4) an independent testing cannabis organization that  
17 tests medical cannabis and medical cannabis products for potency,  
18 safety, and efficacy; and

19 (5) any other class of medical cannabis organization  
20 that the department finds warranted to safely and securely ensure  
21 reasonable statewide access of medical cannabis for medical use.

22 SECTION 1.12. Section 487.102, Health and Safety Code, is  
23 amended to read as follows:

24 Sec. 487.102. ELIGIBILITY FOR LICENSE. An applicant for a  
25 license to operate as a medical cannabis [~~dispensing~~] organization  
26 is eligible for the license if:

27 (1) as determined by the department, the applicant

1 possesses:

2 (A) the technical and technological ability  
3 appropriate for that class of license [~~to cultivate and produce~~  
4 ~~low-THC cannabis~~];

5 (B) the ability to secure:

6 (i) the resources and personnel necessary  
7 to operate as a medical cannabis [~~dispensing~~] organization; and

8 (ii) for distribution or  
9 dispensing premises reasonably located to allow patients listed on  
10 the compassionate-use registry access to the organization through  
11 existing infrastructure;

12 (C) the ability to maintain accountability for  
13 the raw materials, the finished product, and any by-products used  
14 or produced in the cultivation or production of medical [~~low-THC~~]  
15 cannabis to prevent unlawful access to or unlawful diversion or  
16 possession of those materials, products, or by-products; [~~and~~]

17 (D) the financial ability to maintain operations  
18 for not less than two years from the date of application; and

19 (E) any specific qualifications for licensure  
20 for each class of license the department requires by rule under this  
21 chapter that are demonstrably related to the operations authorized  
22 and duties imposed under that class of license to safely and  
23 securely provide medical cannabis for medical use to patients;

24 (2) each director, manager, or employee of the  
25 applicant is registered under Subchapter D; and

26 (3) the applicant satisfies any additional criteria  
27 determined by the director to be necessary to safely implement this



1 chapter.

2 SECTION 1.13. Subchapter C, Chapter 487, Health and Safety  
3 Code, is amended by adding Section 487.1021 to read as follows:

4 Sec. 487.1021. ELIGIBILITY FOR LICENSE TO OPERATE AS AN  
5 INDEPENDENT CANNABIS TESTING ORGANIZATION. In addition to the  
6 criteria described by Section 487.102, an applicant for a license  
7 to operate as an independent cannabis testing organization is  
8 eligible for the license if the applicant:

9 (1) submits proof of accreditation by an independent  
10 accreditation body in accordance with the International  
11 Organization for Standardization ISO/IEC 17025 or a comparable or  
12 successor standard designated by department rule;

13 (2) submits proof that it does not share ownership  
14 interest or joint management with any medical cannabis organization  
15 whose product the applicant may test except for less than 10 percent  
16 ownership in a publicly traded company; and

17 (3) satisfies any additional criteria determined by  
18 the department to be necessary for the operation of a cannabis  
19 testing facility.

20 SECTION 1.14. Section 487.103(a), Health and Safety Code,  
21 is amended to read as follows:

22 (a) A person may apply for an initial or renewal license to  
23 operate as a medical cannabis [~~dispensing~~] organization by  
24 submitting a form prescribed by the department along with the  
25 application fee in an amount set by the director for that class of  
26 license.

27 SECTION 1.15. Section 487.104(a), Health and Safety Code,

1 is amended to read as follows:

2 (a) The department shall issue or renew a license to operate  
3 as a medical cannabis [~~dispensing~~] organization [~~only~~] if:

4 (1) the department determines the applicant meets the  
5 eligibility requirements described by Section 487.102 or 487.1021,  
6 as applicable; and

7 (2) issuance or renewal of the license would assist  
8 [~~is necessary to ensure~~] reasonable statewide access to, and the  
9 availability of, medical [~~low-THC~~] cannabis for patients  
10 registered in the compassionate-use registry and for whom medical  
11 [~~low-THC~~] cannabis is recommended [~~prescribed~~] under Chapter 169,  
12 Occupations Code.

13 SECTION 1.16. Sections 487.105(a) and (b), Health and  
14 Safety Code, are amended to read as follows:

15 (a) An applicant for the issuance or renewal of a license  
16 under this subchapter [~~to operate as a dispensing organization~~]  
17 shall provide the department with the applicant's name and the name  
18 of each of the applicant's directors, managers, and employees.

19 (b) Before a medical cannabis [~~dispensing~~] organization  
20 license holder [~~licensee~~] hires a manager or employee for the  
21 organization, the license holder [~~licensee~~] must provide the  
22 department with the name of the prospective manager or employee.  
23 The license holder [~~licensee~~] may not transfer the license to  
24 another person before that prospective applicant and the  
25 applicant's directors, managers, and employees pass a criminal  
26 history background check and any other requirements established by  
27 the director by rule, and are registered as required by Subchapter

1 D.

2 SECTION 1.17. Section 487.106, Health and Safety Code, is  
3 amended to read as follows:

4 Sec. 487.106. DUTY TO MAINTAIN ELIGIBILITY. (a) Each  
5 license holder under this subchapter [~~A dispensing organization~~]  
6 must maintain compliance at all times with the eligibility  
7 requirements described by Section 487.102 or 487.1021, as  
8 applicable.

9 (b) On request of the department, a license holder must  
10 provide to the department a reasonably sized sample suitable for  
11 testing of medical cannabis.

12 SECTION 1.18. Section 487.107, Health and Safety Code, is  
13 amended to read as follows:

14 Sec. 487.107. DUTIES RELATING TO DISPENSING MEDICAL  
15 CANNABIS [~~PRESCRIPTION~~]. (a) Before dispensing medical [~~low-THC~~]  
16 cannabis to a person for whom the medical [~~low-THC~~] cannabis is  
17 recommended [~~prescribed~~] under Chapter 169, Occupations Code, the  
18 medical cannabis [~~dispensing~~] organization must verify that the  
19 recommendation [~~prescription~~] presented:

20 (1) is for a person listed as a patient in the  
21 compassionate-use registry;

22 (2) matches the entry in the compassionate-use  
23 registry with respect to the total amount of medical [~~low-THC~~]  
24 cannabis required to fill the recommendation [~~prescription~~]; and

25 (3) has not previously been filled by a medical  
26 cannabis [~~dispensing~~] organization as indicated by an entry in the  
27 compassionate-use registry.

1 (b) After dispensing medical [~~low-THC~~] cannabis to a  
2 patient for whom the medical [~~low-THC~~] cannabis is recommended  
3 [~~prescribed~~] under Chapter 169, Occupations Code, the medical  
4 cannabis [~~dispensing~~] organization shall record in the  
5 compassionate-use registry the form and quantity of medical  
6 [~~low-THC~~] cannabis dispensed and the date and time of dispensation.

7 SECTION 1.19. Sections 487.108(a), (b), and (c), Health and  
8 Safety Code, are amended to read as follows:

9 (a) The department may at any time suspend or revoke a  
10 license issued under this subchapter [~~chapter~~] if the department  
11 determines that the license holder [~~licensee~~] has not maintained  
12 the eligibility requirements described by Section 487.102 or  
13 487.1021, as applicable, or has failed to comply with a duty imposed  
14 under this chapter.

15 (b) The director shall give written notice to the license  
16 holder [~~dispensing organization~~] of a license suspension or  
17 revocation under this section and the grounds for the suspension or  
18 revocation. The notice must be sent by certified mail, return  
19 receipt requested.

20 (c) After suspending or revoking a license issued under this  
21 subchapter [~~chapter~~], the director may seize or place under seal  
22 all medical [~~low-THC~~] cannabis and drug paraphernalia owned or  
23 possessed by the license holder [~~dispensing organization~~]. If the  
24 director orders the revocation of the license, a disposition may  
25 not be made of the seized or sealed medical [~~low-THC~~] cannabis or  
26 drug paraphernalia until the time for administrative appeal of the  
27 order has elapsed or until all appeals have been concluded. When a

1 revocation order becomes final, all medical [~~low-THC~~] cannabis and  
2 drug paraphernalia may be forfeited to the state as provided under  
3 Subchapter E, Chapter 481.

4 SECTION 1.20. Section 487.151(a), Health and Safety Code,  
5 is amended to read as follows:

6 (a) An individual who is a director, manager, or employee of  
7 a license holder under Subchapter C [~~dispensing organization~~] must  
8 apply for and obtain a registration under this section.

9 SECTION 1.21. Section 487.201, Health and Safety Code, is  
10 amended to read as follows:

11 Sec. 487.201. COUNTIES AND MUNICIPALITIES MAY NOT PROHIBIT  
12 MEDICAL [~~LOW-THC~~] CANNABIS. A municipality, county, or other  
13 political subdivision may not enact, adopt, or enforce a rule,  
14 ordinance, order, resolution, or other regulation that prohibits  
15 the cultivation, production, dispensing, researching, testing, or  
16 possession of medical [~~low-THC~~] cannabis, as authorized by this  
17 chapter.

18 SECTION 1.22. Subchapter F, Chapter 487, Health and Safety  
19 Code, is repealed.

20 ARTICLE 2. RECOMMENDATION OF MEDICAL CANNABIS BY PHYSICIAN

21 SECTION 2.01. The heading to Chapter 169, Occupations Code,  
22 is amended to read as follows:

23 CHAPTER 169. AUTHORITY TO RECOMMEND MEDICAL [~~PRESCRIBE LOW-THC~~]  
24 CANNABIS TO CERTAIN PATIENTS FOR COMPASSIONATE USE

25 SECTION 2.02. Section 169.001, Occupations Code, is amended  
26 to read as follows:

27 Sec. 169.001. DEFINITIONS. In this chapter:

1 (1) "Department" means the Department of Public  
2 Safety.

3 (2) [~~(1-a)~~] "~~Incurable neurodegenerative disease~~"  
4 ~~means a disease designated as an incurable neurodegenerative~~  
5 ~~disease by rule of the executive commissioner of the Health and~~  
6 ~~Human Services Commission, adopted in consultation with the~~  
7 ~~National Institutes of Health.~~

8 [~~(3)~~] "Medical [~~Low-THC~~] cannabis" means the plant  
9 Cannabis sativa L., and any part of that plant or any compound,  
10 manufacture, salt, derivative, mixture, preparation, resin, or oil  
11 of that plant. The term does not include hemp, as defined by  
12 Section 121.001, Agriculture Code, or a consumable hemp product, as  
13 defined by Section 443.001, Health and Safety Code [~~that contains~~  
14 ~~not more than one percent by weight of tetrahydrocannabinols~~].

15 (3) [~~(4)~~] "Medical use" means the administration of  
16 medical cannabis to a registered patient for treatment of an  
17 eligible medical condition or symptoms as recommended by a  
18 physician [~~ingestion by a means of administration other than by~~  
19 ~~smoking of a prescribed amount of low-THC cannabis by a person for~~  
20 ~~whom low-THC cannabis is prescribed~~] under this chapter.

21 (4) "Severe adverse event" means an adverse event  
22 that:

23 (A) results in death;

24 (B) results in an illness requiring  
25 hospitalization;

26 (C) is considered life-threatening; or

27 (D) results in a persistent or significant

1 disability, incapacity, or medically important condition.

2 ~~[(5) "Smoking" means burning or igniting a substance~~  
3 ~~and inhaling the smoke.]~~

4 SECTION 2.03. Chapter 169, Occupations Code, is amended by  
5 adding Section 169.0012 to read as follows:

6 Sec. 169.0012. BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP.

7 For purposes of this chapter, a bona fide physician-patient  
8 relationship exists when there is a treatment or counseling  
9 relationship between a physician and patient in which all of the  
10 following are present:

11 (1) the physician has reviewed the patient's relevant  
12 medical records and completed a full assessment of the patient's  
13 medical history and current medical condition, including a relevant  
14 medical evaluation of the patient;

15 (2) the physician has created and continues to  
16 maintain records of the patient's condition in accordance with  
17 medically accepted standards;

18 (3) the physician has a reasonable expectation that  
19 the physician will provide follow-up care to the patient to monitor  
20 the efficacy of the use of medical cannabis as a treatment of the  
21 patient's medical condition; and

22 (4) if the patient has given permission, the physician  
23 has notified the patient's primary care physician of the patient's  
24 medical condition and certification for the medical use of medical  
25 cannabis to treat that condition.

26 SECTION 2.04. Section 169.002, Occupations Code, is amended  
27 to read as follows:

1           Sec. 169.002. PHYSICIAN QUALIFIED TO RECOMMEND MEDICAL  
2 ~~[PRESCRIBE LOW-THC]~~ CANNABIS ~~[TO PATIENTS WITH CERTAIN MEDICAL~~  
3 ~~CONDITIONS]~~. (a) Only a physician qualified with respect to a  
4 patient's particular medical condition ~~[as provided by this~~  
5 ~~section]~~ may recommend medical ~~[prescribe low-THC]~~ cannabis in  
6 accordance with this chapter to treat the applicable medical  
7 condition.

8           (b) A physician is qualified to recommend medical  
9 ~~[prescribe low-THC]~~ cannabis with respect to a patient's particular  
10 medical condition if the physician:

11                   (1) is licensed under this subtitle;

12                   (2) has a bona fide physician-patient relationship  
13 with the patient ~~[is board certified in a medical specialty~~  
14 ~~relevant to the treatment of the patient's particular medical~~  
15 ~~condition by a specialty board approved by the American Board of~~  
16 ~~Medical Specialties or the Bureau of Osteopathic Specialists]; and~~

17                   (3) dedicates a significant portion of clinical  
18 practice to the evaluation and treatment of the patient's  
19 particular medical condition.

20           ~~[(c) A physician is qualified to prescribe low-THC cannabis~~  
21 ~~for the treatment of a patient with a medical condition approved by~~  
22 ~~rule of the executive commissioner of the Health and Human Services~~  
23 ~~Commission for treatment in an approved research program conducted~~  
24 ~~under Subchapter F, Chapter 487, Health and Safety Code, if the~~  
25 ~~physician is:~~

26                   ~~[(1) licensed under this subtitle, and~~

27                   ~~[(2) certified by a compassionate-use institutional~~



1 ~~review board created under Section 487.253, Health and Safety Code,~~  
2 ~~that oversees patient treatment undertaken as part of that approved~~  
3 ~~research program.]~~

4 SECTION 2.05. Section 169.003, Occupations Code, is amended  
5 to read as follows:

6 Sec. 169.003. RECOMMENDATION [~~PRESCRIPTION~~] OF MEDICAL  
7 [~~LOW-THC~~] CANNABIS. A physician described by Section 169.002 may  
8 recommend medical [~~prescribe low-THC~~] cannabis to a patient if:

9 (1) the patient is a permanent resident of the state;  
10 (2) the physician complies with the registration  
11 requirements of Section 169.004; and

12 (3) the physician certifies to the department that:

13 (A) there is a bona fide physician-patient  
14 relationship;

15 (B) the patient has a diagnosis or symptoms such  
16 that, in the physician's professional judgment and review of past  
17 treatments, the patient is likely to receive therapeutic or  
18 palliative benefit from medical cannabis [~~is diagnosed with:~~

19 [(i) ~~epilepsy,~~

20 [(ii) ~~a seizure disorder,~~

21 [(iii) ~~multiple sclerosis,~~

22 [(iv) ~~spasticity,~~

23 [(v) ~~amyotrophic lateral sclerosis,~~

24 [(vi) ~~autism,~~

25 [(vii) ~~cancer,~~

26 [(viii) ~~an incurable neurodegenerative~~

27 ~~disease,~~

1                   ~~[(ix) post-traumatic stress disorder; or~~  
2                   ~~[(x) a medical condition that is approved~~  
3 ~~for a research program under Subchapter F, Chapter 487, Health and~~  
4 ~~Safety Code, and for which the patient is receiving treatment under~~  
5 ~~that program]; and~~

6                   (C) ~~[(B)]~~ the physician determines the risk of  
7 the medical use of medical ~~[low-THC]~~ cannabis by the patient is  
8 reasonable in light of the potential benefit for the patient.

9           SECTION 2.06. The heading to Section 169.004, Occupations  
10 Code, is amended to read as follows:

11           Sec. 169.004. MEDICAL ~~[LOW-THC]~~ CANNABIS RECOMMENDATION  
12 ~~[PRESCRIBER]~~ REGISTRATION.

13           SECTION 2.07. Section 169.004(a), Occupations Code, is  
14 amended to read as follows:

15           (a) Before a physician ~~[qualified to prescribe low-THC~~  
16 ~~cannabis under Section 169.002]~~ may recommend ~~[prescribe]~~ or renew  
17 a recommendation ~~[prescription]~~ for medical ~~[low-THC]~~ cannabis for  
18 a patient under this chapter, the physician must register ~~[as the~~  
19 ~~prescriber for that patient]~~ in the compassionate-use registry  
20 maintained by the department under Section 487.054, Health and  
21 Safety Code. The physician's registration must indicate:

22                   (1) the physician's name; and

23                   (2) for each patient:

24                           (A) the patient's name and date of birth;

25                           (B) the nature of the patient's diagnosis or  
26 symptom being treated by medical cannabis;

27                   (C) ~~[(3)]~~ the dosage recommended for ~~[prescribed]~~

1 ~~to~~] the patient;

2                   (D) [~~(4)~~] the means of administration ordered  
3 for the patient;

4                   (E) [~~and~~

5                   ~~(5)~~] the total amount of medical [~~low-THC~~] cannabis  
6 required to fill the patient's recommendation; and

7                   (F) any severe adverse events the patient may  
8 experience due to the medical use of medical cannabis  
9 [prescription].

10           SECTION 2.08. Section 169.005, Occupations Code, is amended  
11 to read as follows:

12           Sec. 169.005. PATIENT TREATMENT PLAN. A physician  
13 described by Section 169.002 who recommends medical [~~prescribes~~  
14 ~~low-THC~~] cannabis for a patient's medical use under this chapter  
15 must maintain a patient treatment plan that indicates:

16                   (1) the dosage, means of administration, and planned  
17 duration of treatment for the medical [~~low-THC~~] cannabis;

18                   (2) a plan for monitoring the patient's symptoms; and

19                   (3) a plan for monitoring indicators of tolerance or  
20 reaction to medical [~~low-THC~~] cannabis.

21           SECTION 2.09. Section 169.0011, Occupations Code, is  
22 repealed.

23                   ARTICLE 3. CONFORMING AMENDMENTS

24           SECTION 3.01. Section 161.001(c), Family Code, is amended  
25 to read as follows:

26                   (c) Evidence of one or more of the following does not  
27 constitute clear and convincing evidence sufficient for a court to

1 make a finding under Subsection (b) and order termination of the  
2 parent-child relationship:

3 (1) the parent homeschooled the child;

4 (2) the parent is economically disadvantaged;

5 (3) the parent has been charged with a nonviolent  
6 misdemeanor offense other than:

7 (A) an offense under Title 5, Penal Code;

8 (B) an offense under Title 6, Penal Code; or

9 (C) an offense that involves family violence, as  
10 defined by Section 71.004 of this code;

11 (4) the parent provided or administered medical  
12 [~~low-THC~~] cannabis to a child for whom the medical [~~low-THC~~]  
13 cannabis was recommended [~~prescribed~~] under Chapter 169,  
14 Occupations Code;

15 (5) the parent declined immunization for the child for  
16 reasons of conscience, including a religious belief;

17 (6) the parent sought an opinion from more than one  
18 medical provider relating to the child's medical care, transferred  
19 the child's medical care to a new medical provider, or transferred  
20 the child to another health care facility; or

21 (7) the parent allowed the child to engage in  
22 independent activities that are appropriate and typical for the  
23 child's level of maturity, physical condition, developmental  
24 abilities, or culture.

25 SECTION 3.02. Section 262.116(a), Family Code, is amended  
26 to read as follows:

27 (a) The Department of Family and Protective Services may not

1 take possession of a child under this subchapter based on evidence  
2 that the parent:

3 (1) homeschooled the child;

4 (2) is economically disadvantaged;

5 (3) has been charged with a nonviolent misdemeanor  
6 offense other than:

7 (A) an offense under Title 5, Penal Code;

8 (B) an offense under Title 6, Penal Code; or

9 (C) an offense that involves family violence, as  
10 defined by Section 71.004 of this code;

11 (4) provided or administered medical [~~low-THC~~]  
12 cannabis to a child for whom the medical [~~low-THC~~] cannabis was  
13 recommended [~~prescribed~~] under Chapter 169, Occupations Code;

14 (5) declined immunization for the child for reasons of  
15 conscience, including a religious belief;

16 (6) sought an opinion from more than one medical  
17 provider relating to the child's medical care, transferred the  
18 child's medical care to a new medical provider, or transferred the  
19 child to another health care facility;

20 (7) allowed the child to engage in independent  
21 activities that are appropriate and typical for the child's level  
22 of maturity, physical condition, developmental abilities, or  
23 culture; or

24 (8) tested positive for marihuana, unless the  
25 department has evidence that the parent's use of marihuana has  
26 caused significant impairment to the child's physical or mental  
27 health or emotional development.

1 SECTION 3.03. Section 411.0891(a), Government Code, is  
2 amended to read as follows:

3 (a) The department may obtain as provided by Subsection  
4 (a-1) criminal history record information that relates to a person  
5 who:

6 (1) is an applicant for or holds a registration issued  
7 by the director under Subchapter C, Chapter 481, Health and Safety  
8 Code, that authorizes the person to manufacture, distribute,  
9 analyze, or conduct research with a controlled substance;

10 (2) is an applicant for or holds a registration issued  
11 by the department under Chapter 487, Health and Safety Code, to be a  
12 director, manager, or employee of a medical cannabis [~~dispensing~~]  
13 organization, as defined by Section 487.001, Health and Safety  
14 Code;

15 (3) is an applicant for or holds an authorization  
16 issued by the department under Section 521.2476, Transportation  
17 Code, to do business in this state as a vendor of ignition interlock  
18 devices;

19 (4) is an applicant for or holds certification by the  
20 department as an inspection station or an inspector under  
21 Subchapter G, Chapter 548, Transportation Code, holds an inspection  
22 station or inspector certificate issued under that subchapter, or  
23 is the owner of an inspection station operating under that chapter;

24 (5) is an applicant for or holds a certificate of  
25 registration issued by the department under Chapter 1956,  
26 Occupations Code, to act as a metal recycling entity;

27 (6) is an applicant for or holds a license to carry a

1 handgun issued by the department under Subchapter H, or is an  
2 applicant for or holds a certification as an instructor issued by  
3 the department under this chapter;

4 (7) is an applicant for or holds a Capitol access pass  
5 issued by the department under Section 411.0625; or

6 (8) is an applicant for or holds a license or  
7 commission issued by the department under Chapter 1702, Occupations  
8 Code.

9 SECTION 3.04. Section 443.202(a), Health and Safety Code,  
10 is amended to read as follows:

11 (a) This section does not apply to medical [~~low-THC~~]  
12 cannabis regulated under Chapter 487.

13 SECTION 3.05. Section 443.2025(a), Health and Safety Code,  
14 is amended to read as follows:

15 (a) This section does not apply to medical [~~low-THC~~]  
16 cannabis regulated under Chapter 487.

17 SECTION 3.06. Section 481.062(a), Health and Safety Code,  
18 is amended to read as follows:

19 (a) The following persons may possess a controlled  
20 substance under this chapter without registering with the Federal  
21 Drug Enforcement Administration:

22 (1) an agent or employee of a manufacturer,  
23 distributor, analyzer, or dispenser of the controlled substance who  
24 is registered with the Federal Drug Enforcement Administration and  
25 acting in the usual course of business or employment;

26 (2) a common or contract carrier, a warehouseman, or  
27 an employee of a carrier or warehouseman whose possession of the

1 controlled substance is in the usual course of business or  
2 employment;

3 (3) an ultimate user or a person in possession of the  
4 controlled substance under a lawful order of a practitioner or in  
5 lawful possession of the controlled substance if it is listed in  
6 Schedule V;

7 (4) an officer or employee of this state, another  
8 state, a political subdivision of this state or another state, or  
9 the United States who is lawfully engaged in the enforcement of a  
10 law relating to a controlled substance or drug or to a customs law  
11 and authorized to possess the controlled substance in the discharge  
12 of the person's official duties;

13 (5) if the substance is tetrahydrocannabinol or one of  
14 its derivatives:

15 (A) a Department of State Health Services  
16 official, a medical school researcher, or a research program  
17 participant possessing the substance as authorized under  
18 Subchapter G; or

19 (B) a practitioner or an ultimate user possessing  
20 the substance as a participant in a federally approved therapeutic  
21 research program that the commissioner has reviewed and found, in  
22 writing, to contain a medically responsible research protocol; or

23 (6) a medical cannabis [~~dispensing~~] organization  
24 licensed under Subchapter C, Chapter 487, that possesses medical  
25 [~~low-THC~~] cannabis.

26 SECTION 3.07. Sections 481.111(e) and (f), Health and  
27 Safety Code, are amended to read as follows:



1 (e) Sections [481.120](#), [481.121](#), [481.122](#), and [481.125](#) do not  
2 apply to a person who engages in the acquisition, possession,  
3 production, cultivation, delivery, or disposal of a raw material  
4 used in or by-product created by the production or cultivation of  
5 medical [~~low-THC~~] cannabis if the person:

6 (1) for an offense involving possession only of  
7 marihuana or drug paraphernalia:

8 (A) [~~τ~~] is a patient for whom medical [~~low-THC~~]  
9 cannabis is recommended [~~prescribed~~] under Chapter [169](#),  
10 Occupations Code, or the patient's parent, legal guardian, or  
11 caregiver; [~~τ~~] and

12 (B) [~~the person~~] possesses medical [~~low-THC~~]  
13 cannabis obtained under a valid recommendation [~~prescription~~] from  
14 a medical cannabis [~~dispensing~~] organization; or

15 (2) is a director, manager, or employee of a medical  
16 cannabis [~~dispensing~~] organization and the person, solely in  
17 performing the person's regular duties at the organization,  
18 acquires, possesses, produces, cultivates, dispenses, or disposes  
19 of:

20 (A) in reasonable quantities, any medical  
21 [~~low-THC~~] cannabis or raw materials used in or by-products created  
22 by the production or cultivation of medical [~~low-THC~~] cannabis; or

23 (B) any drug paraphernalia used in the  
24 acquisition, possession, production, cultivation, delivery, or  
25 disposal of medical [~~low-THC~~] cannabis.

26 (f) For purposes of Subsection (e):

27 (1) [~~"Dispensing organization" has the meaning~~

1 ~~assigned by Section 487.001.~~

2           ~~(2)~~ "Medical [~~Low-THC~~] cannabis" has the meaning  
3 assigned by Section 169.001, Occupations Code.

4           (2) "Medical cannabis organization" has the meaning  
5 assigned by Section 487.001.

6           SECTION 3.08. Section 490.001(3), Health and Safety Code,  
7 is amended to read as follows:

8           (3) "Investigational drug, biological product, or  
9 device" means a drug, biological product, or device that has  
10 successfully completed phase one of a clinical trial but the United  
11 States Food and Drug Administration or its international equivalent  
12 has not yet approved for general use and that remains under  
13 investigation in the clinical trial. The term does not include  
14 medical [~~low-THC~~] cannabis, as defined by Section 169.001,  
15 Occupations Code, or a product containing marihuana, as defined by  
16 Section 481.002, regardless of whether the cannabis or product  
17 successfully completed phase one of a clinical trial.

18           SECTION 3.09. Section 551.004(a), Occupations Code, is  
19 amended to read as follows:

20           (a) This subtitle does not apply to:

21           (1) a practitioner licensed by the appropriate state  
22 board who supplies a patient of the practitioner with a drug in a  
23 manner authorized by state or federal law and who does not operate a  
24 pharmacy for the retailing of prescription drugs;

25           (2) a member of the faculty of a college of pharmacy  
26 recognized by the board who is a pharmacist and who performs the  
27 pharmacist's services only for the benefit of the college;

1 (3) a person who procures prescription drugs for  
2 lawful research, teaching, or testing and not for resale;

3 (4) a home and community support services agency that  
4 possesses a dangerous drug as authorized by Section 142.0061,  
5 142.0062, or 142.0063, Health and Safety Code; or

6 (5) a medical cannabis [~~dispensing~~] organization, as  
7 defined by Section 487.001, Health and Safety Code, that  
8 cultivates, processes, tests, and dispenses medical [~~low-THC~~]  
9 cannabis, as authorized by a license issued under Subchapter C,  
10 Chapter 487, Health and Safety Code, to a patient listed in the  
11 compassionate-use registry established under that chapter.

12 ARTICLE 4. TRANSITIONS AND EFFECTIVE DATE

13 SECTION 4.01. Not later than December 31, 2025, the public  
14 safety director of the Department of Public Safety shall adopt  
15 rules as required to implement, administer, and enforce this Act.

16 SECTION 4.02. (a) A license to operate as a dispensing  
17 organization issued under Chapter 487, Health and Safety Code,  
18 before the effective date of this Act continues to be valid after  
19 the effective date of this Act until that license expires.

20 (b) The registration of a director, manager, or employee of  
21 a dispensing organization under Subchapter D, Chapter 487, Health  
22 and Safety Code, continues to be valid after the effective date of  
23 this Act until that registration expires.

24 SECTION 4.03. (a) Not later than April 1, 2026, the  
25 Department of Public Safety shall license cannabis cultivation  
26 organizations in accordance with Subchapter C, Chapter 487, Health  
27 and Safety Code, as amended by this Act, provided that the

1 applicants for a license have met all requirements for approval  
2 under that subchapter.

3 (b) Not later than June 1, 2026, the Department of Public  
4 Safety shall license other classes of medical cannabis  
5 organizations in accordance with Subchapter C, Chapter 487, Health  
6 and Safety Code, as amended by this Act, provided that the  
7 applicants for a license have met all requirements for approval  
8 under that subchapter.

9 SECTION 4.04. This Act takes effect September 1, 2025.