By: Collier H.B. No. 1224

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the possession of certain consumable hemp products containing a controlled substance or marihuana.

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

SECTION 1. Section 481.111, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) A person does not commit an offense under this subchapter involving the possession of a controlled substance or marihuana if:

(1) the person possesses a product that purports by the product's label to contain a consumable hemp product that is authorized under state or federal law;

(2) the product described by Subdivision (1) contains a controlled substance or marihuana, other than the substances extracted from hemp in the concentrations authorized under Subchapter E, Chapter 443; and

(3) the person purchased the product described by Subdivision (1) from a retailer the person reasonably believed was authorized to sell a consumable hemp product.

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 on the date 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, 2027.