

## **BILL ANALYSIS**

H.B. 1178  
By: Kuempel  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

According to interested parties, the opioid abuse crisis has fueled an increase in pharmacy burglaries and thefts. H.B. 1178 seeks to address this issue by establishing penalties for a certain burglary or theft offense involving a controlled substance.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1178 amends the Penal Code to establish a penalty of third degree felony for burglary if the premises in which the actor enters or remains concealed is a building in which a controlled substance is generally stored, including a pharmacy, clinic, hospital, or nursing facility, and the actor entered or remained concealed in that building with intent to commit a theft of a controlled substance. The bill expands the conduct that constitutes a third degree felony theft offense to include theft of property that is a controlled substance, regardless of the value of the controlled substance.

### **EFFECTIVE DATE**

September 1, 2017.