

BILL ANALYSIS

Senate Research Center

H.B. 163
By: Chisum (Bivins)
Criminal Justice
5/13/1999
Engrossed

DIGEST

Currently, Section 38.11(d), Penal Code, makes possession of a controlled substance in any Texas Department of Criminal Justice correctional facility a felony in the third degree. Possession of a controlled substance in a county jail is not covered by the statute. H.B. 163 would add all correctional facilities to the list of properties covered by the controlled substance statute.

PURPOSE

As proposed, H.B. 163 would establish conditions regarding the offense of possession of a controlled substance or dangerous drug in a correctional facility.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.11(d), Penal Code, to specify a correctional facility as a place where a person commits a felony in the third degree by possessing a controlled substance or dangerous drug. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.