

BILL ANALYSIS

Senate Research Center
80R6669 PEP-D

C.S.S.B. 130
By: West, Royce
Criminal Justice
4/26/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Children exposed to drug use face increased health, psychological, and social risks. Drugs such as methamphetamines pose a danger to children.

C.S.S.B. 130 provides a penalty for adults who inject, ingest, inhale, or otherwise introduce a controlled substance into the human body in the presence of a child.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.041(c-1), Penal Code, to provide that for the purposes of Subsection (c), it is presumed that a person engaged in conduct that places a child in imminent danger of death, bodily injury, or physical or mental impairment if the person, in the presence of the child, manufactured the controlled substance methamphetamine, or injected, ingested, inhaled, or otherwise introduced a controlled substance listed in Penalty Group 1, Section 481.102 (Penalty Group 1), Health and Safety Code into the human body when the person was not in lawful possession of the substance as defined by Section 481.002(24) (relating to the definition of lawful possession of a controlled substance), Health and Safety Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.