

## **BILL ANALYSIS**

Senate Research Center  
77R591 PEP-D

S.B. 23  
By: Shapiro  
Criminal Justice  
1/23/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, the dealer or manufacturer of an illegal drug can only be charged with the delivery of a controlled substance, even when the sale of the drug can be directly linked to the death or serious injury of another person. S.B. 23 provides enhanced penalties for defendants found guilty of manufacturing or delivering a controlled substance that leads to the death or serious injury to another person.

### **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 Chapter 481D, Health and Safety Code, by adding Section 481.140, as follows:

Sec. 481.140. MANUFACTURE OR DELIVERY OF CONTROLLED SUBSTANCE CAUSING DEATH OR SERIOUS BODILY INJURY. Establishes certain punishments for a defendant found guilty of an offense under Section 481.112, 481.1121, 481.113, or 481.114 if a person died or suffered serious bodily injury due to the introduction into the body of any amount of a controlled substance that was manufactured or delivered by the defendant. Provides that this Act applies regardless of whether the defendant manufactured for delivery or delivered, directly or indirectly, the controlled substance that resulted in death or serious bodily injury.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.