

BILL ANALYSIS

Senate Research Center

S.B. 656
By: Wentworth
Health Services
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As Filed

DIGEST

Currently, ephedrine is approved by the U.S. Food and Drug Administration for nonprescription and over-the-counter drug sales as a bronchodilator for asthma sufferers. Many states have become concerned about the misuse of certain products containing ephedrine and marketed as stimulants, appetite suppressants, and muscle enhancers. S.B. 656 would create an offense for the transfer of certain products containing ephedrine to a person 17 years of age or younger.

PURPOSE

As proposed, S.B. 656 would create an offense for the transfer of certain products containing ephedrine to a person 17 years of age or younger.

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 Chapter 481D, Health and Safety Code, by adding Section 481.1365, as follows:

Sec. 481.1365. OFFENSE: TRANSFER OF PRODUCT CONTAINING EPHEDRINE. Provides that a person commits an offense if the person knowingly sells, transfers, or otherwise furnishes a product containing ephedrine to a person 17 years of age or younger. Sets forth the exceptions to the offense of selling, transferring, or otherwise furnishing a product containing ephedrine to a person 17 years of age or younger. Provides that an offense under this section is a Class C misdemeanor, unless it is shown at the trial that the defendant has been previously convicted of an offense under this section, in which case the offense is a Class B misdemeanor.

SECTION 2. Effective date: September 1, 1999.