

BILL ANALYSIS

Senate Research Center
85R12426 GCB-D

S.B. 2176
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Criminal Justice
4/8/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The rapid increase in demand for synthetic and designer drugs has led to the proliferation of dangerous narcotics whose chemical compounds intentionally circumvent existing law. The dynamic nature of this illicit market is such that every legislative session, the code needs updating to reflect new harmful compounds that were created or first appeared between legislative sessions.

While these drugs have not been designated criminal penalty groups, some have received controlled substance scheduling. S.B. 2176 updates the code to place two synthetic opioids—U-47700 and AH-7921—in Penalty Group 1; and two designer medications—Etizolam and Phenazepam—in Penalty Group 3. In addition, there are two medications—Carisoprodol and Tramadol—that have been scheduled but are perennially overlooked for placement in their corresponding penalty group. S.B. 2176 places these drugs in Penalty Group 3.

As proposed, S.B. 2176 amends current law relating to the placement of certain substances in Penalty Groups 1 and 3 of the Texas Controlled Substances Act for the purposes of prosecution of criminal offenses involving those substances.

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 481.102, Health and Safety Code, to provide that Penalty Group 1 consists of certain substances, including U-47700 and AH-7921.

SECTION 2. Amends Section 481.104(a), Health and Safety Code, to provide that Penalty Group 3 consists of a material, compound, mixture, or preparation that contains any quantity of certain substances, including carisoprodol, etizolam, phenazepam, and tramadol.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2017.