

## **BILL ANALYSIS**

H.B. 1206  
By: Cole  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that the punishments for crimes involving the possession of marihuana are too severe and that resources allocated to the prosecution and punishment for such crimes could be more effectively spent on counseling, drug treatment and outreach programs, and supporting victims of more serious crimes. H.B. 1206 seeks to address this issue by revising the penalties for the possession of marihuana.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1206 amends the Health and Safety Code to decrease the penalties for possession of marihuana ranging from a second degree felony to a Class B misdemeanor to the next lower category of offense. The bill decreases the penalty for possession of more than 2,000 pounds of marihuana from a felony punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 5 years and a fine not to exceed \$50,000 to a second degree felony.

H.B. 1206 amends the Code of Criminal Procedure and Government Code to make conforming changes.

### **EFFECTIVE DATE**

September 1, 2019.