

BILL ANALYSIS

H.B. 4508
By: Lucio III
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the federal government removed CBD oil as a schedule I controlled substance and that state law has not been amended to conform with the removal. H.B. 4508 seeks to address this issue by exempting CBD oil from the Texas Controlled Substances Act.

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. 4508 amends the Health and Safety Code to exempt a person who possesses or delivers CBD oil from provisions of the Texas Controlled Substances Act relating to the possession and delivery of marijuana and to exclude CBD oil from the definition of "marijuana" for purposes of the act. The bill defines "CBD oil" as a manufacture, derivative, mixture, or preparation of the plant *Cannabis sativa* L. that primarily contains cannabidiol and may contain other cannabinoids, terpenes, and other compounds found in the plant, but does not contain, or contains only trace amounts of, delta-9 tetrahydrocannabinol. The bill applies to conduct involving the possession or delivery of CBD oil that occurs before, on, or after the bill's effective date, except that a final conviction for an offense that exists on that date is unaffected by the bill's provisions.

EFFECTIVE DATE

September 1, 2019.