

SUBJECT: Conforming statutes regulating nitrous oxide as a volatile chemical

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 6 ayes — Keel, Riddle, Denny, Escobar, Raymond, Reyna

0 nays

3 absent — Hodge, P. Moreno, Pena

SENATE VOTE: On final passage, April 7 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — None

Against — None

On — James Brubaker, Texas Department of Public Safety

BACKGROUND: In 2001, the 77th Legislature enacted HB 2950 by Chavez, which consolidated the laws regulating volatile chemicals that can be abused with the laws regulating all volatile chemicals.

During the same session, the Legislature also enacted HB 139 by Wise, relating to nitrous oxide, an abusable volatile chemical. It amended some of the sections repealed by HB 2950 and kept them in law.

DIGEST: SB 910 would repeal the amendments made by HB 139 to conform with the changes made by HB 2950.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005.

SUPPORTERS SAY: SB 910 would govern the regulation of nitrous oxide under the laws regulating all volatile chemicals. Because these two bills were approved during the same legislative session, the amended parts of HB 139 caused some provisions repealed by HB 2950 to be retained, an inconsistency that SB 910 would correct.

OPPONENTS
SAY:

No apparent opposition.