

1-1 By: Meza, et al. (Senate Sponsor - West, et al.) H.B. No. 3464  
 1-2 (In the Senate - Received from the House May 6, 2025;  
 1-3 May 7, 2025, read first time and referred to Committee on Criminal  
 1-4 Justice; May 21, 2025, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-6 May 21, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3464 By: Flores

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to increasing the criminal penalties for the offenses of  
 1-20 providing or possessing with the intent to provide an alcoholic  
 1-21 beverage, a controlled substance, or a dangerous drug to a person in  
 1-22 the custody of a correctional facility, taking an alcoholic  
 1-23 beverage, a controlled substance, or a dangerous drug into a  
 1-24 correctional facility, and taking a controlled substance or  
 1-25 dangerous drug on property owned, used, or controlled by a  
 1-26 correctional facility.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 38.11, Penal Code, is amended by  
 1-29 amending Subsection (g) and adding Subsections (g-1) and (g-2) to  
 1-30 read as follows:

1-31 (g) Except as otherwise provided by Subsections (g-1) and  
 1-32 (g-2), an ~~An~~ offense under this section is a felony of the third  
 1-33 degree.

1-34 (g-1) Except as otherwise provided by Subsection (g-2), an  
 1-35 offense under Subsection (a)(1), (b), or (c) committed with respect  
 1-36 to a correctional facility is a felony of the second degree if the  
 1-37 actor is employed by the correctional facility.

1-38 (g-2) An offense under Subsection (a)(1), (b), or (c)  
 1-39 committed with respect to a correctional facility is a felony of the  
 1-40 first degree punishable by imprisonment in the Texas Department of  
 1-41 Criminal Justice for life or for a term of not more than 99 years or  
 1-42 less than 15 years, and a fine not to exceed \$250,000 if:

1-43 (1) the actor is employed by the correctional  
 1-44 facility; and

1-45 (2) the ingestion, inhalation, injection, or other  
 1-46 administration of the controlled substance or dangerous drug that  
 1-47 is the subject of the offense causes the death of a person in the  
 1-48 custody of the correctional facility.

1-49 SECTION 2. The change in law made by this Act applies only  
 1-50 to an offense committed on or after the effective date of this Act.  
 1-51 An offense committed before the effective date of this Act is  
 1-52 governed by the law in effect on the date the offense was committed,  
 1-53 and the former law is continued in effect for that purpose. For  
 1-54 purposes of this section, an offense was committed before the  
 1-55 effective date of this Act if any element of the offense occurred  
 1-56 before that date.

1-57 SECTION 3. This Act takes effect September 1, 2025.

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