

1-1 By: Huffman S.B. No. 1152
1-2 (In the Senate - Filed February 6, 2025; February 28, 2025,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 16, 2025, reported favorably by the following vote: Yeas 6,
1-5 Nays 1; April 16, 2025, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Flores	X		PNV
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles		X	

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to creating the criminal offense of continuous manufacture
1-18 or delivery of a controlled substance.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter D, Chapter 481, Health and Safety
1-21 Code, is amended by adding Section 481.142 to read as follows:

1-22 Sec. 481.142. CONTINUOUS MANUFACTURE OR DELIVERY OF
1-23 CONTROLLED SUBSTANCE. (a) A person commits an offense if, during a
1-24 period that is 12 months or less in duration, the person engages two
1-25 or more times in conduct that constitutes an offense under Section
1-26 481.112, 481.1121, 481.113, or 481.114.

1-27 (b) If a jury is the trier of fact, members of the jury are
1-28 not required to agree unanimously on which specific conduct engaged
1-29 in by the defendant constituted an offense described by Subsection
1-30 (a), the exact date on which that conduct occurred, or the county in
1-31 which each instance of the conduct occurred. The jury must agree
1-32 unanimously that the defendant, during a period that is 12 months or
1-33 less in duration, engaged two or more times in conduct that
1-34 constitutes an offense under Section 481.112, 481.1121, 481.113, or
1-35 481.114.

1-36 (c) The defendant may not be convicted in the same criminal
1-37 action of another offense an element of which is any conduct that is
1-38 alleged as an element of the offense under Subsection (a) unless the
1-39 other offense:

1-40 (1) is charged in the alternative;

1-41 (2) occurred outside the period in which the offense
1-42 alleged under Subsection (a) was committed; or

1-43 (3) is considered by the trier of fact to be a lesser
1-44 included offense of the offense alleged under Subsection (a).

1-45 (d) A defendant may not be charged with more than one count
1-46 under Subsection (a) for conduct occurring during the same period
1-47 described by Subsection (a).

1-48 (e) An offense under this section is a felony of the third
1-49 degree.

1-50 SECTION 2. The change in law made by this Act applies only
1-51 to an offense committed on or after the effective date of this Act.
1-52 An offense committed before the effective date of this Act is
1-53 governed by the law in effect at the time the offense was committed,
1-54 and the former law is continued in effect for that purpose. For
1-55 purposes of this section, an offense was committed before the
1-56 effective date of this Act if any element of the offense occurred
1-57 before that date.

1-58 SECTION 3. This Act takes effect September 1, 2025.

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