

CHAPTER 525

H.B. No. 817

AN ACT

relating to the authorization of certain persons who train animals and develop equipment to detect controlled substances or marihuana to obtain, possess, and use controlled substances or marihuana.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 3.03(e), Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes), is amended to read as follows:

(e) The director may authorize the possession, distribution, planting, and cultivation of controlled substances *or marihuana* by persons engaged in research, *training animals to detect controlled substances or marihuana, or designing or calibrating devices to detect controlled substances or marihuana.* Persons who obtain this authorization are exempt from state prosecution for possession and distribution of controlled substances *or marihuana* to the extent of the authorization.

SECTION 2. Section 5.08(a), Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Regarding all controlled substances, raw materials, and drug paraphernalia which have been forfeited, the district court shall by its order direct a law enforcement agency to:

- (1) retain the property for its official purposes;
- (2) deliver the property to a government agency or department for official purposes;
- (3) deliver the property to a person authorized by the court to receive it;
- (4) *deliver the property to a person authorized by the director to receive it for a purpose listed in Section 3.03(e) of this Act; or*
- (5) [(4)] destroy the property that is not otherwise disposed in the manner prescribed by Section 5.081 of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 9, 1987, by a non-record vote. Passed by the Senate on May 30, 1987, by the following vote: Yeas 31, Nays 0.

**70th LEGISLATURE—REGULAR SESSION**

**Ch. 526, § 1**

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.