

# **TEXAS PSILOCYBIN FREEDOM AND VETERAN MENTAL HEALTH INNOVATION ACT**

## **Responsible Adult Access, Expanded Research, and Veteran-First Medical Therapeutic Reform for Texas Sovereignty**

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**Already written. Ready Day 1.**

**One bill. Six historic wins for Texas.**

- Decriminalizes responsible home cultivation for adults 21+ with a clear limit of **3 monotubs** (or equivalent fruiting containers), doubled to 6 for multi-adult households, paired with a **4 oz dry** possession cap at home.
- Establishes a regulated medical therapeutic program allowing limited take-home amounts of tested psilocybin after age verification and safety education.
- Builds on Texas’s \$50 million ibogaine research investment (SB 2308) through state-led efforts at UTHealth Houston and UTMB Galveston, while directing new licensing fees and excise taxes to the **Freedom Fund** to accelerate property tax relief.
- Prioritizes Texas veterans, first responders, and 100% Texas-owned providers with licensing preferences and equitable access.
- Creates a targeted compassionate access pathway for hospice-enrolled and terminally ill Texans facing refractory psychological or existential distress.
- Protects public safety, law enforcement, military personnel, and Second Amendment rights while asserting Texas sovereignty over mental health innovation.

### **Legislative Purpose**

Emerging research and real-world evidence indicate psilocybin’s potential to help treat treatment-resistant depression, PTSD, substance use disorders, and end-of-life distress—conditions that disproportionately affect Texas veterans and first responders. Texas is already leading with its \$50 million ibogaine research program, now advancing through our state universities.

This Act ends the outdated federal prohibition mindset on promising natural compounds while rejecting reckless commercialization. It delivers **Texas-balanced**

**reform:** responsible personal freedom at home, safe regulated medical options, veteran-first priorities, and new revenue for property tax relief—all with strong safeguards for public safety and youth protection.

This is not California-style open recreational markets. It is pragmatic, sovereignty-focused legislation that puts Texans in control of their mental health choices.

### **Section 1: Legislative Findings**

The Texas Legislature finds that:

- Federal Schedule I restrictions have stifled research and driven responsible adult use underground.
- Texas veterans and citizens deserve access to innovative, evidence-based mental health tools without fear of state prosecution for personal, private conduct.
- Strict limits on home cultivation and possession prevent large-scale operations while allowing modest personal use. A standard hobbyist monotub (typically 50 quarts) often yields 2–6 oz dry total across multiple flushes under real-world conditions. Pairing a maximum of **3 monotubs** (doubled to 6 in multi-adult households) with a **4 oz dry** home possession limit keeps cultivation at true personal scale and directly addresses concerns about oversized “swimming pool” setups.
- A regulated medical program with tested products, education requirements, and veteran priorities will improve outcomes and generate revenue.
- Compassionate access for hospice and terminally ill patients can relieve profound suffering when integrated with existing palliative care.

### **Section 2: Decriminalization of Responsible Adult Home Cultivation**

Adults 21 years of age or older may possess, cultivate, and use psilocybin mushrooms for personal, private, non-commercial purposes under the following limits:

- **Home possession:** Up to 4 ounces (112 grams) dried weight or equivalent fresh weight.
- **Away from home / public:** Up to 1 ounce (28 grams) dried weight or equivalent fresh weight.

#### **Cultivation rules:**

- Limited to a maximum of **3 monotubs or equivalent fruiting containers** per household (doubled to 6 for households with two or more adults 21+).
- Grows must be conducted in a secure, private space on private property, not visible from public areas, and inaccessible to anyone under 21.
- No sales, distribution for profit, or public display/consumption.
- Exact technical details (e.g., spore handling, total substrate volume) shall be refined by the Texas Department of State Health Services through rulemaking.

Violations of quantity, security, or commercial rules constitute a Class C misdemeanor (or higher for repeat/intent-to-distribute offenses), with enhanced penalties for impaired driving, diversion to minors, or operation of unlicensed commercial activity. Revenue from fines and fees shall support youth prevention and education programs.

### **Section 3: Regulated Medical Therapeutic Program**

The Texas Department of State Health Services shall establish a licensed service/healing center framework for adults 21+. Participants may obtain limited take-home amounts of laboratory-tested psilocybin (up to 1 ounce dried equivalent per 30 days) after:

- Age and identity verification.
- A mandatory short education session on safe use, set and setting, dosage, and integration.

Priority licensing preferences, reduced fees, and access support shall be given to:

- Honorably discharged Texas veterans and first responders.
- 100% Texas-owned providers and entities.

Home cultivation under Section 2 remains fully available and decriminalized for those who prefer self-cultivation. The medical program provides a safe, tested purchase option for convenience, consistency, or those unable to grow.

### **Section 3.5: Hospice and Terminally Ill Compassionate Access Provision**

(a) **Findings:** Clinical studies show psilocybin-assisted therapy can rapidly reduce anxiety, depression, demoralization, and existential distress in terminally ill patients, improving quality of life and spiritual well-being. Texas should provide a compassionate, medically overseen pathway integrated with hospice care.

(b) **Eligibility:** Adults 21+ who are (1) enrolled in a licensed Texas hospice program, or (2) certified by a licensed Texas physician as having a terminal illness with a prognosis of 12 months or less, and who experience refractory psychological or existential distress. Priority for Texas veterans.

(c) **Access:** Qualifying patients may receive limited tested psilocybin (up to an additional 1 ounce dried equivalent per 30 days or clinically indicated dosing) and/or supervised sessions at licensed centers, with preparation, administration, and integration support from trained facilitators. Home cultivation under Section 2 remains available.

(d) **Safeguards:** Requires physician certification, education, mandatory product testing, zoning buffers from schools/youth areas, and strict penalties for diversion. Coordination with existing hospice providers is encouraged. All privacy and safety protections apply.

### **Section 4: Expanded Research and Veteran Focus**

The Act directs expansion of psychedelic research through UTHealth Houston, UTMB Galveston, and other Texas institutions, building on the ibogaine program. Priority shall be given to studies on veterans, treatment-resistant conditions, and hospice/palliative care. Data collection and outcome reporting shall inform future policy.

### **Section 5: Revenue and *Freedom Fund***

Tiered licensing fees and a modest excise tax on regulated medical psilocybin products shall be directed entirely to the **Texas Freedom Fund**. These revenues shall accelerate property tax relief (in coordination with the **Cultivate Texas Act**) without raising general taxes. No revenue shall support out-of-state interests.

### **Section 6: Public Safety and Rights Protections**

Nothing in this Act shall:

- Authorize impaired driving or public consumption.
- Require veterans, law enforcement, military personnel, or others to forfeit Second Amendment rights or professional licenses for participating in state-legal programs.
- Allow federal interference in Texas sovereignty over these matters.

### **Section 7: Implementation and Effective Date**

The Department of State Health Services shall promulgate rules within 12 months. The Act takes effect September 1, 2027, or earlier upon completion of necessary rulemaking. This framework is offered for discussion and legislative refinement. It is not enacted law. Consult qualified legal and medical professionals for personal application.

### **Texas First. Veterans First. Freedom First.**

This proposal delivers responsible reform that respects individual liberty, protects public safety, honors our veterans, and strengthens Texas sovereignty while generating revenue for the priorities Texans care about most—lower property taxes and better mental health outcomes.

***“Cultivating A Better Texas”***

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***“Reclaim 1836: Cultivating A Stronger, Freer Texas”***