

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. Five historic wins.

1. Decriminalizes responsible home and personal cultivation of psilocybin mushrooms for adults 21+ with a strict maximum of 3 mono tubs (doubled to 6 for households with multiple adults 21+).
2. Creates a regulated medical therapeutic program where adults 21+ can purchase limited take-home amounts of tested psilocybin after age verification and a short education session on safe use.
3. Builds directly on Texas's \$50 million ibogaine research investment — now state-led with UTHealth Houston and UTMB Galveston — and generates new revenue through tiered licensing fees and excise taxes directed entirely to the Freedom Fund to accelerate property tax elimination (combined with Cultivate Texas Act for faster relief).
4. Prioritizes Texas veterans and 100% Texas-owned providers with licensing preferences, fee waivers, and equitable access — no out-of-state cronies or federal overreach.
5. Protects public safety personnel, veterans, law enforcement, military, and Second Amendment rights so no Texan is forced to choose between state-legal mental health options and their constitutional rights.

Texans agree: Emerging clinical research and real-world evidence show meaningful potential for psilocybin in treating hard-to-treat mental health conditions, especially for veterans and those with treatment-resistant depression or PTSD. Texas is already leading with the \$50 million ibogaine program signed

into law last year and now moving forward through our universities after private partners fell short. Lt. Gov. Dan Patrick and House leadership have made Texas a national player in psychedelic research.

Right now — in April 2026 — too many veterans and Texans with treatment-resistant PTSD, depression, addiction, and suicidal ideation are stuck with limited options. The current system leaves patients crossing borders or turning to the underground market while unregulated sources profit. This isn't innovation. This is ending the prohibition mindset that limits research and safety data — and giving Texans real freedom to choose how they pursue mental health relief while generating new revenue for the **Freedom Fund**.

This is not California chaos or open recreational commercialization. It is responsible, Texas-first reform: adults get the liberty to grow a limited amount of psilocybin mushrooms at home, while a regulated medical therapeutic program allows adults 21+ to purchase limited tested amounts for take-home use after age verification and a short education session on safe use. Home cultivation remains fully decriminalized. Combined with the **Cultivate Texas Act**, this accelerates our path to historic property tax relief.

Puts Texas veterans and researchers first. Ends the federal Schedule I stranglehold on progress. Lets informed adults make private choices without fear of arrest. Generates better mental health outcomes and new revenue without new taxes or government mandates.

Section 1: Purpose and Legislative Findings

The people of Texas declare: Federal prohibition of promising psychedelics has limited research and driven use underground. Texas's \$50 million ibogaine investment proves we can lead responsibly. This Act **decriminalizes responsible adult home cultivation of psilocybin mushrooms** with a strict maximum of 3 mono tubs or equivalent fruiting containers per household (doubled to 6 for households with multiple adults 21+) — creates a regulated medical therapeutic program where adults 21+ can purchase limited take-home amounts of tested psilocybin after age verification and a short education session on safe use, expands research focused on veterans and treatment-resistant conditions, and directs new revenue to the **Freedom Fund** to accelerate property tax elimination — all while asserting Texas sovereignty over mental health innovation.

Section 2: Decriminalization of Responsible Adult Home Cultivation

- Adults 21+ may possess, use, and cultivate psilocybin (magic mushrooms) for personal, private use with the following limits:
 - **At home:** Up to 4 ounces (112 grams) dried weight or equivalent fresh weight.
 - **In public / away from home:** Up to 1 ounce (28 grams) dried weight or equivalent fresh weight.
 - **Home cultivation:** Adults 21+ may cultivate small amounts of psilocybin mushrooms for personal use only. Cultivation is limited to a maximum of **3 mono tubs or equivalent fruiting containers per household**(doubled to 6 for households with multiple adults 21+). Grows must be secure, non-public, not visible from public areas, and inaccessible to anyone under 21. Exact implementation details (including spore/kit limits) to be defined by regulation.
 - **Strict rules:** No public consumption or display; severe penalties for exceeding the possession or mono tub/container limits, violating security rules, impaired driving, commercial distribution, or any sale; youth education and prevention funded through existing or new program revenue. Growing outside the allowed limits or in unsecured areas is a petty offense with fines and potential enforcement escalation.

Section 3: Regulated Medical Therapeutic Program

- Establishes licensed Service / Healing Centers where adults 21+ can purchase limited take-home amounts of tested psilocybin (up to 1 ounce dried equivalent per 30 days) for personal therapeutic use after age verification and a short education session on safe use, set and setting, dosage, and integration.
- Priority access, fee reductions, and equitable support for honorably discharged veterans, first responders, and Texans with treatment-resistant depression, PTSD, addiction, or end-of-life anxiety.
- Home cultivation remains fully decriminalized for those who prefer to grow their own — the medical program provides a safe, legal purchase option for those who cannot or choose not to cultivate.

Section 4: Expanded Texas-Led Research

- Build on the existing \$50 million ibogaine clinical trials now led by UTHealth Houston and UTMB Galveston.
- Extend research to psilocybin and other promising compounds with a focus on veteran mental health, addiction interruption, PTSD, and traumatic brain injury.
- Demand rigorous safety, efficacy, and long-term outcome data. Texas retains intellectual property and commercial interests where appropriate.
- No blank checks — results drive policy adjustments.

Section 5: Tiered Licensing, Safeguards, and Veteran Priority

- Regulated like emerging medical innovations with mandatory testing for potency and contaminants, advertising limits, and basic supply chain accountability from licensed cultivation to service centers.

• Tiered Licensing Structure:

- Psilocybin Cultivation / Manufacturing Licenses (tiered small/medium) — capped statewide, priority for Texas veterans and 100% Texas-owned businesses.
- Medical Service / Healing Center Licenses (tiered by capacity) — where adults 21+ can purchase limited take-home amounts after education.
- Facilitator / Provider Licenses — for trained professionals providing education and support.
- Testing Laboratory Licenses — mandatory potency and contaminant testing.
 - Local zoning/opt-in with buffers from schools; heavy penalties for unlicensed sales, diversion, or youth access.
 - Integrates with **Texas Sovereignty** protections — no hostile foreign ownership or control.

Section 6: Revenue, Freedom Fund, and Public Safety

- Dedicated revenue sources from the regulated medical therapeutic program shall include:

- Tiered licensing and renewal fees for cultivators, service centers, providers, and testing labs (with waivers/priority for Texas veterans and 100% Texas-owned businesses).
- Excise tax (10–15%) on psilocybin products dispensed through licensed centers.
- Any royalties, intellectual property shares, or economic returns from Texas-led ibogaine and psilocybin research (building on the \$50 million SB 2308 investment, with Texas retaining at least 20% stake in successful outcomes).
 - All revenue dedicated to the **Freedom Fund**:
- Accelerate property tax relief for every Texan (50% cut beginning post-launch, trajectory toward full elimination by 2038 or sooner when combined with **Cultivate Texas Act** revenue).
- Fully fund schools with ZERO new taxes and ZERO cuts.
- Expand veteran mental health programs, PTSD/addiction treatment, crisis intervention, and equitable access in the medical program.

- Support research expansion and public safety enforcement (including home cultivation compliance).
 - Projections will be scored and adjusted as the program matures. Combined with the **Cultivate Texas Act**, this accelerates Texas’s path to historic tax relief while delivering better mental health outcomes for veterans and families.
 - Tough enforcement against impaired driving, diversion, commercial distribution, or violations of home cultivation rules (3 mono tubs max per household, doubled to 6 for multiple adults). Data privacy protected to the maximum extent permitted by law.

Section 7: Preservation of Rights for Public Safety Personnel and Second Amendment Protections

(a) Legislative Findings. The Legislature finds that:

Lawful adult use of psilocybin under this Act is regulated by the State of Texas. Participation in programs authorized by this Act does not, by itself, constitute evidence of impairment, addiction, or unfitness to safely exercise rights under the Second Amendment to the United States Constitution or Article I, Section 23 of the Texas Constitution.

Texas maintains a strong tradition of protecting the individual right to keep and bear arms, including constitutional carry for eligible adults and the issuance of Licenses to Carry.

Law enforcement officers, military personnel, and veterans who serve and protect Texans deserve the full benefit of state constitutional protections and should not be forced to choose between responsible, state-legal mental health options and their ability to carry firearms in the line of duty or for personal defense.

Federal law creates an ongoing conflict with state sovereignty; this section asserts Texas authority to protect residents’ state-law rights while acknowledging federal requirements applicable to federally licensed firearm dealers.

(b) State Law Protections. Notwithstanding any other provision of law, and consistent with Texas Penal Code and other state firearms statutes:

Lawful possession, purchase, use, or cultivation of psilocybin by an adult 21 years of age or older in full compliance with this Act shall not disqualify that person from owning, possessing, purchasing, carrying (including constitutional carry under Texas law), or transporting firearms or ammunition under Texas law. There shall be a rebuttable presumption that any person in full compliance with this Act is not an “unlawful user of or addicted to any controlled substance” for purposes of any Texas firearms disqualification statute or administrative process.

The Department of Public Safety, any licensing authority, or any state or local agency shall not deny, revoke, suspend, or condition a License to Carry (LTC), eligibility for firearm purchase, constitutional carry rights, or any other firearms-related right or permit solely on the basis of lawful psilocybin use or participation in programs authorized by this Act.

The underlying medical or personal condition of the individual (rather than psilocybin use itself) may be considered on a case-by-case basis only if it independently and demonstrably impairs safe firearm handling, consistent with existing Texas law.

Lawful compliance with this Act does not trigger any state-level controlled substance disqualifiers under Texas firearms law.

(c) Public Safety Personnel Alignment. Law enforcement officers, active-duty and retired military personnel, and honorably discharged veterans who lawfully use psilocybin under this Act shall receive the full benefit of these protections. The Department of Public Safety and other state agencies shall not use lawful psilocybin compliance as the sole or primary basis for adverse fitness-for-duty determinations, license revocations, or other state-administered actions against these personnel, consistent with the veteran and public safety priorities established throughout this Act.

(d) Data Privacy. Any registry, licensing, or purchaser data shall be treated as confidential to the maximum extent permitted by law and protected from disclosure under the Texas Public Information Act, except as required for tax enforcement or public safety violations involving separate criminal conduct. No state agency shall proactively share such data with federal authorities for the purpose of enforcing federal firearms prohibitions except pursuant to a valid federal court order or subpoena.

(e) Enforcement. Any person aggrieved by a violation of this section may seek injunctive relief and reasonable attorney's fees in a Texas district court.

(f) Reporting. The administering agency shall submit a biennial report to the Legislature detailing the implementation of this section, any federal conflicts encountered, and recommendations for further protection of Texas residents' rights.

(g) Severability and Sovereignty. If any portion of this section is held invalid due to federal preemption or otherwise, the remainder of this Act and this section shall remain in effect to the maximum extent permitted by law. This Act shall be

liberally construed to protect Texas sovereignty and the constitutional rights of its citizens.

Effective Date and Timeline

Filed Day 1 of administration (January 20 following election victory). Research expansion and decriminalization provisions effective immediately upon passage. Medical program licensing and rollout within first 18–24 months. Ongoing monitoring with biennial reports to the Legislature.

Revenue-positive | Veteran-first | Research-first | Texas Sovereignty-first | Second Amendment Protected | Personal Liberty Protected | Freedom Fund Accelerated

“Hell no to treating responsible adults like criminals for private choices — including limited home cultivation of psilocybin mushrooms.”

“Hell yes to giving Texans real options — home cultivation or purchase through a regulated medical program after basic education — generating new revenue for the **Freedom Fund**, and leading the nation in veteran mental health innovation while protecting our heroes’ constitutional rights and accelerating property tax relief.”

“Cultivating A Better Texas”

Kenneth Hyde

Republican Candidate for Governor of Texas 2030

“Reclaim 1836: Cultivating A Stronger, Freer Texas”

Sources: Texas Legislature (SB 2308, 89th Session, signed June 2025); UTHealth Houston & UTMB Health announcements (December 2025–March 2026); University of Houston Hobby School of Public Affairs, Texas Legislative Issues 2025 (February 2025); KennethHyde4TxGov.com platform.