

Amend HB 2291 (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike amended Section 43.26(d), Penal Code (page 1, lines 22-26), and substitute the following:

(d) An offense under Subsection (a) is a felony of the third degree, except that the offense is:

(1) a felony of the second degree if it is shown on the trial of the offense that the person has been previously convicted one time of an offense under that subsection; and

(2) a felony of the first degree if it is shown on the trial of the offense that the person has been previously convicted two or more times of an offense under that subsection.

(2) In SECTION 1 of the bill, in amended Section 43.26(g), Penal Code (page 1, lines 27-28), strike "first [~~second~~] degree" and substitute "second degree, except that the offense is a felony of the first degree if it is shown on the trial of the offense that the person has been previously convicted of an offense under that subsection".

(3) Strike SECTION 2 of the bill, adding Section 508.145(e-1), Government Code (page 1, lines 29-35).

(4) Renumber subsequent SECTIONS of the bill appropriately.