

Amend HB 62 (house committee report) as follows:

(1) On page 2, line 17, strike "Subsection g" and substitute "Subsections (g) and (h)".

(2) On page 3, line 12, between "Subsection (a) or (b) is a" and "misdemeanor", insert "Class C".

(3) On page 3, between lines 17 and 18, insert the following:

(h) Notwithstanding any other law, an officer may not arrest a person solely on the basis of an offense under Subsection (a) or (b).

(4) On page 5, line 10, between "this section is a" and "misdemeanor", insert "Class C".

(5) On page 5, between lines 15 and 16, insert the following:

(e-1) Notwithstanding any other law, an officer may not arrest a person solely on the basis of this offense under this section.

(6) On page 6, line 10, between "to" and "Chapter", insert "Section 543.004 and".

(7) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 543.004(a), Transportation Code, is amended to read as follows:

(a) An officer shall issue a written notice to appear if:

(1) the offense charged is:

(A) speeding;

(B) the use of a wireless communication device under Section 545.4251; or

(C) a violation of the open container law, Section 49.031 [49.03], Penal Code; and

(2) the person makes a written promise to appear in court as provided by Section 543.005.