

Amend **CSHB 4** as follows:

(1) On page 4, line 21, strike "its final action on" and substitute "such final action as the agency is authorized regarding".

(2) On page 5, line 6, between "claimant" and ";", insert "and the class".

(3) On page 5, line 9, between "claimant" and ";", insert "and the class".

(4) On page 8, line 17, between "costs" and "actually", insert "of litigation".

(5) On page 11, line 26, after the word "reasonable", insert "and necessary".

(6) On page 12, line 1, after the word "reasonable", insert "and necessary".

(7) On page 13, between lines 19 and 20, insert the following:
Sec. 42.006. APPLICABILITY OF CHAPTER IN RELATION TO CERTAIN CRIMINAL BEHAVIOR. Without regard to whether an action is brought by itself or in conjunction with other actions, this chapter does not apply to an action arising from conduct of the defendant described in any of the following sections of the Penal Code:

(1) Section 49.04 (driving while intoxicated);
(2) Section 49.05 (flying while intoxicated);
(3) Section 49.06 (boating while intoxicated);
(4) Section 49.065 (assembling or operating an amusement ride while intoxicated);

(5) Section 49.07 (intoxication assault); or

(6) Section 49.08 (intoxication manslaughter).

Sec. 42.007. ADDITIONAL APPLICABILITY PROVISION; CERTAIN CRIMINAL BEHAVIOR. Without regard to whether an action is brought by itself or in conjunction with other actions, this chapter does not apply to an action in which the defendant is a person who has engaged in conduct described as a felony in the following Penal Code provisions if the conduct was committed knowingly or intentionally, as defined by Section 6.03(a) and (b), Penal Code:

(A) Section 19.02 (murder);

(B) Section 19.03 (capital murder);
(C) Section 20.03 (kidnapping);
(D) Section 20.04 (aggravated kidnapping);
(E) Section 22.02 (aggravated assault);
(F) Section 22.011 (sexual assault);
(G) Section 22.021 (aggravated sexual assault);
(H) Section 22.04 (injury to a child, elderly individual, or disabled individual);
(I) Section 32.21 (forgery);
(J) Section 32.43 (commercial bribery);
(K) Section 32.45 (misapplication of fiduciary property or property of financial institution);
(L) Section 32.46 (securing execution of a document by deception);
(M) Section 32.47 (fraudulent destruction, removal, or concealment of writing); or
(N) Chapter 31 (theft) the punishment level for which is a felony of the third degree or higher.

(8) Page 17, line 15, between "recovery" and "in", insert ", less any statutory liens,".