Amend **HB 2474** as follows:

(1) In SECTION 1 of the bill, in Paragraph (B), Subdivision (3), Subsection (c), Section 16.02, Penal Code (Introduced version page 2, line 16), following the semicolon, add "<u>or</u>".

(2) In SECTION 1 of the bill, in Subdivision (3), Subsection (c), Section 16.02, Penal Code (Introduced version page 2, line 17 through page 3, line 4), strike added Paragraphs (C) and (D) and substitute:

<u>(C) a wire or electronic communication made by a computer trespasser and transmitted to, through, or from a protected computer, if:</u>

<u>(i) the interception did not acquire a communication other than one transmitted to or from the computer trespasser;</u>

<u>(ii) the owner of the protected computer consented to the interception of the computer trespasser's communications on the protected computer; and</u>

<u>(iii) actor was lawfully engaged in an ongoing criminal investigation and the actor had reasonable suspicion to believe that the contents of the computer trespasser's communications likely to be obtained would be material to the investigation;</u>

(3) In SECTION 2 of the bill, in added Subdivision (25), Section 1, Article 18.20, Code of Criminal Procedure (Introduced version page 6, line 19), between "<u>computer</u>" and the period, insert "<u>. The term does not include a person who accesses the computer under an existing contractual relationship with the owner or operator of the protected computer</u>".

(4) In SECTION 7 of the bill, in added Subsection (g), Section 16, Article 18.20, Code of Criminal Procedure (Introduced version page 10, line 26), between "<u>required by</u>" and the colon, insert "<u>a good faith reliance on</u>".

(5) In SECTION 8 of the bill, in added Subdivision (6), Section 1, Article 18.21, Code of Criminal Procedure (Introduced version page 12, line 21), between "<u>device</u>" and "<u>that</u>", insert "<u>or process</u>".

(6) In SECTION 8 of the bill, in renumbered Subdivision (10),

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Section 1, Article 18.21, Code of Criminal Procedure (Introduced version page 13, line 24), between "device" and "that ", insert "<u>or process</u>".