

Amend **HB 151** by striking SECTION 1 of the bill and substituting the following:

SECTION 1. Section 30.04(d), Penal Code, is amended to read as follows:

(d) An offense under this section is a Class A misdemeanor, except that the offense is a state jail felony if:

(1) it is shown on the trial of the offense that the defendant has been previously convicted under this section; or

(2) [unless] the vehicle or part of the vehicle broken into or entered is a rail car [7, in which event the offense is a state jail felony].