

Amend CSHB 549 as follows:

(1) On page 1, lines 22 and 23, strike "an ordinance or order adopted by a commissioners court or the governing body of a municipality, as appropriate," and substitute "a rule or regulation adopted by the sheriff or jail administrator".

(2) On page 2, between lines 6 and 7, insert the following appropriately numbered section and renumber subsequent sections of the bill accordingly:

SECTION _____. Chapter 38, Penal Code, is amended by adding Section 38.114 to read as follows:

Sec. 38.114. CONTRABAND IN CORRECTIONAL FACILITY. (a) A person commits an offense if the person:

(1) provides contraband to an inmate of a correctional facility;

(2) otherwise introduces contraband into a correctional facility; or

(3) possesses contraband while confined in a correctional facility.

(b) In this section, "contraband":

(1) means:

(A) any item not provided by or authorized by the operator of the correctional facility; or

(B) any item provided by or authorized by the operator of the correctional facility that has been altered to accommodate a use other than the originally intended use; and

(2) does not include any item specifically prohibited under Section 38.11.

(c) An offense under this section is a Class C misdemeanor, unless the offense is committed by an employee or a volunteer of the correctional facility, in which event the offense is a Class B misdemeanor.