

Amend CSSB 604 (committee printing) as follows:

(1) In SECTION 1 of the bill, in proposed Subsection (b), Section 22.012, Civil Practice and Remedies Code (committee printing, page 1, line 43), strike "or (e)".

(2) In SECTION 1 of the bill, in proposed Subsection (b), Section 22.012, Civil Practice and Remedies Code (committee printing), strike page 1, lines 45-47, and substitute the following:

disclose in any official proceeding:

(1) any confidential or nonconfidential information, document, or item legally obtained or prepared while acting as a journalist; or

(2) the source of any information, document, or item described by Subdivision (1).

(3) In SECTION 1 of the bill, in proposed Subsection (c), Section 22.012, Civil Practice and Remedies Code, between "information," and "document," (committee printing, page 1, line 49), insert "source,".

(4) In SECTION 1 of the bill, in proposed Subdivision (1), Subsection (c), Section 22.012, Civil Practice and Remedies Code (committee printing, page 1, line 55), strike "and".

(5) In SECTION 1 of the bill, in proposed Subdivision (2), Subsection (c), Section 22.012, Civil Practice and Remedies Code (committee printing, page 1, line 57), between "production" and ".", insert the following:

; and

(3) cannot reasonably be obtained from any alternate source

(6) In SECTION 1 of the bill, strike proposed Subsection (e), Section 22.012, Civil Practice and Remedies Code (committee printing, page 1, line 63, through page 2, line 5), and substitute the following:

(e) Notwithstanding Subsection (b), a journalist does not have a privilege in a criminal case against disclosure of:

(1) any information, document, or item obtained as a result of the journalist's eyewitness observation of criminal conduct involving physical violence, property damage, or breach of

the peace, including any physical evidence or visual or audio recording of the observed conduct; or

(2) the source of any information, document, or item described by Subdivision (1).

(7) Strike SECTION 3 of the bill (committee printing, page 2, lines 11-13) and substitute the following:

SECTION 3. Section 22.012, Civil Practice and Remedies Code, as added by this Act, and Article 38.11, Code of Criminal Procedure, as added by this Act, apply only to an official proceeding, as defined by Section 22.012, Civil Practice and Remedies Code, as added by this Act, that commences on or after the effective date of this Act. An official proceeding held before, on, or after the effective date of this Act in a lawsuit that commences before the effective date of this Act is governed by the law in effect on the date the lawsuit was commenced, and the former law is continued in effect for that purpose.