

Amend CSHB 1129 on page 2 of the bill, by striking lines 1 through 17, and substituting the following:

(d) An offense under Subsection (e) is a Class C misdemeanor unless it is committed in a habitation or unless the actor carries a deadly weapon on or about the actor's person during the commission of the offense, in which event it is a Class A misdemeanor. An offense under Subsection (k) is a Class C misdemeanor unless it is committed in a building or habitation or unless the actor carries a deadly weapon on or about the actor's person during the commission of the offense, in which event it is a Class A misdemeanor. An offense under Subsection (a) is a Class C [~~B~~] misdemeanor, except that the offense is:

(1) a Class B misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section; and

(2) a Class A misdemeanor if:

(A) [~~(1)~~] the offense is committed:

(i) [~~(A)~~] in a habitation or a shelter center;

(ii) [~~(B)~~] on a Superfund site; or

(iii) [~~(C)~~] on or in a critical infrastructure facility; or

(B) [~~(2)~~] the actor carries a deadly weapon on or about his person during the commission of the offense.