

Amend HB 3060 (committee printing) as follows:

(1) On page 1, line 10, strike "If" and substitute "In a prosecution pending before a court, if [~~If~~]".

(2) On page 1, line 12, strike "If a" and substitute "In a prosecution pending before a magistrate, if the".

(3) On page 4, line 2, strike "or on a day or at a term stated in the writ".

(4) On page 4, line 8, between "by" and "adding", insert "amending Subsection (d) and".

(5) On page 4, between lines 8 and 9, insert the following:

(d) A court may not order a defendant confined under Subsection (a) of this article unless the court at a hearing makes a written determination that:

(1) [~~determines that~~] the defendant is not indigent and has failed to make a good faith effort to discharge the fines and costs [~~or determines that the defendant wilfully refused to pay or failed to make sufficient bona fide efforts legally to acquire the resources to pay and enters that determination in writing in the court docket~~]; or [~~and~~]

(2) the defendant is indigent and:

(A) has failed to make a good faith effort to discharge the fines and costs under Article 43.09(f); and

(B) could have discharged the fines and costs under Article 43.09 without experiencing any undue hardship [~~determines that no alternative method of discharging fines and costs provided by Article 43.09 of this code is appropriate for the defendant~~].

(6) On page 5, lines 3 and 4, strike "the defendant appears [~~he can be brought~~] before the court" and substitute "the business day following the date of the defendant's arrest if the defendant cannot [~~he can~~] be brought before the court immediately".

(7) On page 6, line 19, between "court" and "or", insert "immediately".

(8) On page 6, lines 19 and 20, strike "the defendant can be brought before the court" and substitute "the business day following the date of the defendant's arrest if the defendant cannot [~~can~~] be brought before the court immediately".

(9) On page 7, line 15, strike "determines" and substitute "at a hearing makes a written determination [~~determines~~"].

(10) On page 7, strike lines 19-23 and substitute the following:

(2) the defendant is [~~not~~] indigent and:

(A) has failed to make a good faith effort to discharge the fines and costs under Article 45.049; and

(B) could have discharged the fines and costs under Article 45.049 without experiencing any undue hardship.

(11) On page 9, line 1, strike "43.02, 43.09(m), and 43.12" and substitute "43.09(m) and 43.12".