

Amend HB 3692 as follows:

(1) Strike SECTION 1 of the bill on page 1, line 6 through page 1, line 12, and renumber subsequent SECTIONS of the bill accordingly.

(2) On page 1, line 18, strike "Section 25.07(a), Penal Code, is amended" and substitute "Sections 25.07(a) and (g), Penal Code, are amended".

(3) On page 2, lines 15-16, strike "if the order or condition of bond" and substitute "if the violation is of an order described by this subsection and the order".

(4) On page 2, between lines 26 and 27, insert the following:

(g) An offense under this section is a Class A misdemeanor unless it is shown on the trial of the offense that the defendant has previously been convicted under this section two or more times or has violated the [~~protective~~] order or condition of bond by committing an assault or the offense of stalking, in which event the offense is a third degree felony.

(5) On page 3, lines 6 and 19, strike "A person" and substitute "Except as otherwise provided by Subsection (d), a person".

(6) On page 3, lines 12-13 and 23-24, strike "on a determination by a judge or magistrate following a hearing that probable cause exists to believe" and substitute "if following a hearing a judge or magistrate determines by a preponderance of the evidence that".

(7) On page 3, between lines 25 and 26, insert the following:

(d) A person who commits an offense under Section 25.07(a)(3), Penal Code, may be held without bail under Subsection (b) or (c), as applicable, only if following a hearing the judge or magistrate determines by a preponderance of the evidence that the person went to or near the place described in the order or condition of bond with the intent to commit or threaten to commit:

(1) family violence; or

(2) an act in furtherance of an offense under Section 42.072, Penal Code.

- (8) On page 3, line 26, strike "(d)" and substitute "(e)".
- (9) On page 4, line 10, strike "(e)" and substitute "(f)".