

Amend CSHB 107 (house committee printing) as follows:

(1) On page 1, line 12, strike "imprisoned" and substitute "confined".

(2) On page 1, lines 19-20, strike ", as defined by Section 1.07, Penal Code,".

(3) On page 2, line 2, strike "a district court" and substitute "the appropriate court".

(4) On page 2, lines 3 and 4, strike "where the defendant is imprisoned" and substitute "in which the penal institution is located".

(5) On page 2, line 13, strike "judge" and substitute "court".

(6) On page 2, line 20, strike "penal institution" has the meaning" and substitute "deadly weapon" and "penal institution" have the meanings".

(7) On page 2, line 22, through page 3, line 2, strike SECTION 2 of the bill.

(8) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Chapter 27, Code of Criminal Procedure, is amended by adding Article 27.19 to read as follows:

Art. 27.19. PLEA BY CERTAIN DEFENDANTS.

(a) Notwithstanding any other provision of this code, a court shall accept a plea of guilty or nolo contendere from a defendant who is confined in a penal institution if the plea is made:

(1) in accordance with the procedure established by Article 27.18; or

(2) in writing before the appropriate court having jurisdiction in the county in which the penal institution is located, provided that:

(A) in the writing, the defendant waives the right to be present at the taking of the plea or to have counsel present; and

(B) if the defendant is charged with a felony, judgment and sentence are rendered in accordance with the conditions and the procedure established by Article 42.14(b).

(b) In this article, "penal institution" has the meaning

assigned by Section 1.07, Penal Code.

SECTION _____. Article 27.19, Code of Criminal Procedure, as added by this Act, and Article 42.14, Code of Criminal Procedure, as amended by this Act, apply to a plea entered or to a judgment and sentence rendered in a criminal case on or after the effective date of this Act, regardless of whether the offense for which the plea is entered or judgment and sentence are rendered is committed before, on, or after that date.

(9) Renumber the SECTIONS of the bill appropriately.