

Amend **CSHB 189** (house committee printing) as follows:

(1) On page 6, line 1, strike "The" and substitute "(a) Except as provided by Subsection (b) of this SECTION, the".

(2) On page 6, between lines 8 and 9, insert:

(b) In a criminal action pending on or commenced on or after the effective date of this Act, for an offense committed before the effective date of this Act, the court may proceed in accordance with Section 5(d), Article 42.12, Code of Criminal Procedure, as amended by this Act, if the defendant so elects by written motion filed with the trial court before the sentencing hearing begins.