

Amend HB 3396 (senate committee report) as follows:

(1) In SECTION 2 of the bill, in proposed Section 33.02(b-1), Penal Code, on page 1, strike lines 48 and 49 and substitute the following:

defraud [~~unless in committing the offense the actor knowingly obtains a benefit, defrauds~~] or harm [~~harms~~] another[~~7~~] or

(2) In SECTION 2 of the bill, in proposed Section 33.02(b-2), Penal Code, strike page 1, line 55, through page 2, line 11, and substitute the following:

(1) [~~a Class A misdemeanor if the aggregate amount involved is less than \$1,500,~~

~~(2)] a state jail felony if [+~~

~~(A)] the aggregate amount involved is [~~\$1,500 or more but~~] less than \$20,000[~~, or~~~~

~~(B) the aggregate amount involved is less than \$1,500 and the defendant has been previously convicted two or more times of an offense under this chapter];~~

(2) [~~(3)] a felony of the third degree if the aggregate amount involved is \$20,000 or more but less than \$100,000;~~

(3) [~~(4)] a felony of the second degree if:~~

(A) the aggregate amount involved is \$100,000 or more but less than \$200,000;

(B) the aggregate amount involved is any amount less than \$200,000 and the computer, computer network, or computer system is owned by the government or a critical infrastructure facility; or

(C) the actor obtains the identifying information of another by accessing only one computer, computer network, or computer system; or

(4) [~~(5)] a felony of the first degree if:~~