

Amend SB 152 (senate committee report) as follows:

(1) In SECTION 1 of the bill (page 1, line 34), by striking "shall" and substituting "may".

(2) In SECTION 1 of the bill (page 1, between lines 57 and 58), insert the following new Section 3 and renumbering the subsequent sections of amended Article 38.37, Code of Criminal Procedure, accordingly:

"Sec. 3. Before evidence may be introduced described by Section 2:

(1) a hearing shall be conducted out of the presence of the jury; and

(2) the trial judge should only admit evidence of a similar offense subject to the introduction of enough evidence to support a finding that the similar offense has been proved beyond a reasonable doubt."