

Amend HB 1790 (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 15(1), Article 42.12, Code of Criminal Procedure, strike all of the language from "A judge who" (page 1, line 23) through "the judge shall" (page 1, line 30), and substitute the following:

On written motion of the defendant after completion of two-thirds of the original community supervision period for a state jail felony with respect to which written consent was obtained under Section 12.44(c), Penal Code, the judge may

(2) In SECTION 1 of the bill, in added Section 15(1), Article 42.12, Code of Criminal Procedure (page 1, line 33), strike "disposition of the case" and substitute "disposition of the community supervision".

(3) In SECTION 1 of the bill, in added Section 15(1)(1)(A), Article 42.12, Code of Criminal Procedure (page 1, line 40), between "under" and "Section 30.04", insert "Section 30.02,".

(4) In SECTION 1 of the bill, in added Section 15(1)(1)(B), Article 42.12, Code of Criminal Procedure (page 1, line 42), strike "of this code".

(5) In SECTION 1 of the bill, at the end of added Section 15(m), Article 42.12, Code of Criminal Procedure (page 2, lines 8-9), strike "for any purpose other than the purpose described by Section 20(a)(1)".

(6) Strike SECTION 2 of the bill (page 2, lines 15-19) and substitute the following:

SECTION 2. Section 12.44, Penal Code, is amended by adding Subsection (c) to read as follows:

(c) With the written consent of the prosecuting attorney prior to sentencing, the court may amend the record of conviction to reflect a conviction for a Class A misdemeanor in lieu of a state jail felony as provided by Section 15(1), Article 42.12, Code of Criminal Procedure.

SECTION 3. The change in law made by this Act applies only to a defendant who is placed on community supervision for an offense committed on or after the effective date of this Act. A defendant who is placed on community supervision for an offense committed before the effective date of this Act is governed by the law in

effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

(7) Renumber "SECTION 3" of the bill (page 2, line 20) as "SECTION 4".