

Amend **CSSB 4** (house committee report) on page 10 of the bill, between lines 12 and 13, by inserting the following appropriately numbered SECTIONS:

SECTION 2.\_\_\_\_. Section 38.05, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) It is an exception to the application of Subsection (a)(2) that the defendant was a public servant who failed to perform a task described by Section 752.053(b)(1), Government Code.

SECTION 2.\_\_\_\_. The change in law made by this article to Section 38.05, Penal Code, applies only to an offense committed on or after the effective date of this Act. 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.