

Amend CSSB 208 (senate committee report), in SECTION 5 of the bill, as follows:

(1) In the recital for that section (page 2, lines 51 and 52), between "Subsections (b-1)" and "and (f)", insert ", (b-2),".

(2) Strike Sections 1956.041(a), (b), and (b-1), Occupations Code (page 2, line 53, through page 3, line 3), and substitute the following:

(a) The commission, after notice and an opportunity for a hearing, may impose an administrative penalty on a person who:

(1) violates this subchapter or Subchapter A-2 or a rule or order of the commission under this chapter; or

(2) engages in conduct that would constitute an offense under Section 1956.040(c-2) or (c-4) [Section 1956.036].

(b) Except as provided by Subsection (b-1), the [The] amount of the administrative penalty may not exceed \$1,000. Each day a violation occurs or continues to occur is a separate violation for the purpose of imposing a penalty under this section. In determining the amount of the administrative penalty under this section, the commission shall consider:

(1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;

(2) the economic harm caused by the violation;

(3) the history of previous violations;

(4) the amount necessary to deter a future violation;

(5) efforts to correct the violation; and

(6) any other matter that justice may require.

(b-1) The amount of an administrative penalty for engaging in conduct described by Subsection (a)(2) or for a violation of Section 1956.036(f) may not exceed \$1,000 for each violation. The aggregate penalty under this subsection for multiple violations may not exceed \$10,000.

(b-2) The commission by rule shall adopt a standardized penalty schedule for a violation based on the criteria listed in Subsection (b).