

Amend CSHB 1442 (house committee printing), between page 36, line 27, and page 37, line 1, by inserting the following appropriately numbered SECTION and renumbering the subsequent SECTIONS accordingly:

SECTION _____. Subchapter G, Chapter 393, Finance Code, is amended by adding Section 393.629 to read as follows:

Sec. 393.629. FILING A CRIMINAL CHARGE AGAINST A CONSUMER.
A credit access business may not threaten or pursue a criminal charge against a consumer related to an extension of consumer credit unless the credit access business possesses evidence that is sufficient to prove that the consumer violated a criminal law. For purposes of this section, in a deferred presentment transaction, a person does not violate a criminal law solely by issuing a check or authorization on an account with insufficient funds.