

Amend CSHB 2754 (house committee printing) as follows:

(1) On page 1, line 16, between "fine only" and the underlined period, insert "and for misdemeanor offenses punishable under Section 481.121(b)(1), Health and Safety Code".

(2) On page 2, strike lines 23-25 and substitute the following:

SECTION 4. Article 14.06, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsections (b-1) and (c-1) to read as follows:

(3) On page 4, between lines 3 and 4, insert the following:

(c-1) Notwithstanding Subsection (c), if the person resides in the county where the offense occurred, a peace officer who is charging a person with committing an offense that is punishable under Section 481.121(b)(1), Health and Safety Code, shall, instead of taking the person before a magistrate, issue a citation to the person that contains written notice of the time and place the person must appear before a magistrate of this state as described by Subsection (a), the name and address of the person charged, and the offense charged.

(d) Subsection (c) applies only to a person charged with committing an offense under:

(1) Section 481.121, Health and Safety Code, if the offense is punishable under Subsection (b)(2) [~~(b)(1) or (2)~~] of that section;

(1-a) Section 481.1161, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(2) Section 28.03, Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(3) Section 28.08, Penal Code, if the offense is punishable under Subsection (b)(2) or (3) of that section;

(4) Section 31.03, Penal Code, if the offense is punishable under Subsection (e)(2)(A) of that section;

(5) Section 31.04, Penal Code, if the offense is punishable under Subsection (e)(2) of that section;

(6) Section 38.114, Penal Code, if the offense is punishable as a Class B misdemeanor; or

(7) Section 521.457, Transportation Code.