

Amend SB 6 (senate committee printing) as follows:

(1) In SECTION 5 of the bill, immediately following "SECTION 5." (page 5, line 22), insert "(a)".

(2) At the end of SECTION 5 of the bill (immediately following line 6, page 42), insert the following:

(b) This section takes effect on the 91st day after the last day of the legislative session if this Act does not receive a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution, this section has no effect.

(3) Immediately following SECTION 5 of the bill (page 6, between lines 42 and 43), insert the following appropriately numbered SECTION and renumber the SECTIONS of the bill accordingly:

SECTION _____. (a) Article 17.03, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsections (b-2) and (b-3) to read as follows:

(b) Only the court before whom the case is pending may release on personal bond a defendant who:

(1) is charged with an offense under the following sections of the Penal Code:

- (A) [~~Section 19.03 (Capital Murder)~~];
- [~~(B) Section 20.04 (Aggravated Kidnapping)~~];
- [~~(C) Section 22.021 (Aggravated Sexual Assault)~~];
- [~~(D) Section 22.03 (Deadly Assault on Law Enforcement or Corrections Officer, Member or Employee of Board of Pardons and Paroles, or Court Participant)~~];
- [~~(E) Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual)~~];
- [~~(F) Section 29.03 (Aggravated Robbery)~~];
- [~~(G)~~] Section 30.02 (Burglary); or
- (B) [~~(H)~~] Section 71.02 (Engaging in Organized Criminal Activity);
- [~~(I) Section 21.02 (Continuous Sexual Abuse of Young Child or Children)~~]; or
- [~~(J) Section 20A.03 (Continuous Trafficking of~~

~~Persons);]~~

(2) is charged with a felony under Chapter 481, Health and Safety Code, or Section 485.033, Health and Safety Code, punishable by imprisonment for a minimum term or by a maximum fine that is more than a minimum term or maximum fine for a first degree felony; or

(3) does not submit to testing for the presence of a controlled substance in the defendant's body as requested by the court or magistrate under Subsection (c) of this article or submits to testing and the test shows evidence of the presence of a controlled substance in the defendant's body.

(b-2) Notwithstanding any other law, a defendant may not be released on personal bond if the defendant:

(1) is charged with an offense involving violence; or

(2) while released on bail or community supervision for an offense involving violence, is charged with committing:

(A) any offense punishable as a felony; or

(B) an offense under the following provisions of the Penal Code:

(i) Section 22.01(a)(1) (assault);

(ii) Section 22.05 (deadly conduct);

(iii) Section 22.07 (terroristic threat);

or

(iv) Section 42.01(a)(7) or (8) (disorderly conduct involving firearm).

(b-3) In this article:

(1) "Controlled substance" has the meaning assigned by Section 481.002, Health and Safety Code.

(2) "Offense involving violence" means an offense under the following provisions of the Penal Code:

(A) Section 19.02 (murder);

(B) Section 19.03 (capital murder);

(C) Section 20.03 (kidnapping);

(D) Section 20.04 (aggravated kidnapping);

(E) Section 20A.02 (trafficking of persons);

(F) Section 20A.03 (continuous trafficking of persons);

(G) Section 21.02 (continuous sexual abuse of young child or children);

(H) Section 21.11 (indecenty with a child);

(I) Section 22.01(a)(1) (assault), if the offense:

(i) is punishable as a felony of the second degree under Subsection (b-2) of that section; or

(ii) involved family violence as defined by Section 71.004, Family Code;

(J) Section 22.011 (sexual assault);

(K) Section 22.02 (aggravated assault);

(L) Section 22.021 (aggravated sexual assault);

(M) Section 22.04 (injury to a child, elderly individual, or disabled individual);

(N) Section 25.072 (repeated violation of certain court orders or conditions of bond in family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking case);

(O) Section 25.11 (continuous violence against the family);

(P) Section 29.03 (aggravated robbery);

(Q) Section 38.14 (taking or attempting to take weapon from peace officer, federal special investigator, employee or official of correctional facility, parole officer, community supervision and corrections department officer, or commissioned security officer);

(R) Section 43.04 (aggravated promotion of prostitution);

(S) Section 43.05 (compelling prostitution); or

(T) Section 43.25 (sexual performance by a child).

(b) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote described by this subsection, this section has no effect.

(4) In SECTION 21(a) of the bill, in the effective date

provision (page 11, line 68), between "of this section" and the comma, insert "or another provision of this Act".