

Amend **HB 385** (senate committee printing) on third reading in SECTION 2 of the bill, (page 2, lines 28-39), by striking the following:

" , provided that, notwithstanding Subsection (a) or any other law, a judge may only require a defendant to attend counseling sessions or participate in treatment if:

(A) the results of an evaluation that is designed to determine the appropriate type and level of treatment necessary to address the defendant's alcohol or drug dependency indicate that counseling or treatment is necessary to protect or restore the community or the victim and to rehabilitate the defendant; or

(B) the defendant's use, manufacture, possession, or delivery of a controlled substance or alcohol was an element of the offense for which the defendant was placed on community supervision"