

Amend HB 1293 (house committee report) on page 1 as follows:

(1) On line 10, strike "district attorney or criminal district attorney" and substitute "district attorney, criminal district attorney, or county attorney with criminal jurisdiction".

(2) Strike lines 13-16 and substitute the following:

(b) The court may, after a hearing, grant the defendant a new trial in the interest of justice for any of the following reasons:

(1) the discovery of exculpatory, mitigating, or impeachment evidence that establishes that the defendant's conviction or sentence is against the weight of the evidence;

(2) a change in law that provides a new legal basis for a defense to criminal prosecution for the offense of which the defendant was convicted or a ruling of the United States Supreme Court or the Texas Court of Criminal Appeals that the law under which the defendant was convicted or sentenced is unconstitutional;

(3) that material evidence was improperly admitted or withheld from the jury; or

(4) that the agreed statement of facts establishes a ground for which a new trial must be granted under the Texas Rules of Appellate Procedure.

(b-1) The court may rely on the agreed statement in granting a new trial, and the agreed statement may constitute the entire record in the cause.