

**FORTY-SEVENTH LEGISLATURE  
FIRST SESSION, 2005**

February 18, 2005

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred  
**HOUSE BILL 411, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike House Business and Industry Committee Amendments 6, 7 and 12 through 18.

2. On page 16, strike lines 8 through 25 in their entirety and on page 17, strike lines 1 through 6 in their entirety.

3. Renumber the succeeding sections accordingly.

4. On page 18, line 17, strike the period and remove the brackets and line-through on lines 17 through 20 and on line 20, after "prosecution" insert a period.

5. On page 18, strike lines 21 through 25 in their entirety and on page 19, strike line 1 in its entirety and insert in lieu thereof the following subsection:

"B. As used in this section:

(1) "tax" does not include civil penalties or interest; and

(2) "willfully" means intentionally, deliberately or purposely, but not necessarily maliciously.""

6. On page 19, line 6, after "willfully" insert ", with the intent to defraud,".

7. On page 19, line 8, strike the colon, strike lines 9 through 24 in their entirety and insert in lieu thereof "a felony, and upon conviction thereof, shall be fined not more than five thousand dollars (\$5,000) or imprisoned for a period of not less than six months and not more than three years, or both, together with the costs of prosecution" and the following new subsection to read:

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"B. As used in this section:

(1) "tax" does not include civil penalties or interest; and

(2) "willfully" means intentionally, deliberately or purposely, but not necessarily maliciously."".

8. On page 22, line 5, strike "crime" and insert in lieu thereof "crimes".

Respectfully submitted,

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Joseph Cervantes, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 0 Against  
Yes: 10  
No: 0  
Excused: Park  
Absent: None

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