

Amend CSHB 3588 in Article III, Sec. 301, by deleting the proposed Sec. 201.954(j) to read as follows:

() The department shall pay an unsuccessful private entity that submits a response to a request for detailed proposals under Subsection (f) a stipulated amount of the final contract price for any costs incurred in preparing that proposal. The stipulated amount must be stated in the request for proposals and may not exceed the value of any work product contained in the proposal that can, as determined by the department, be used by the department in the performance of its functions. After payment of the stipulated amount, the department may make use of any design contained in the proposal, including the technologies, techniques, methods, processes, and information contained in the design. The use by the department of any design element contained in an unsuccessful proposal is at the sole risk and discretion of the department and does not confer liability on the recipient of the stipulated amount under this section.