

Amend CSSB 1017 (House committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 262.007(a), Local Government Code (page 1, line 17), strike "the sale of goods or for engineering or construction services may" and substitute "engineering or construction services or for goods related to engineering or construction services may".

(2) In SECTION 2 of the bill, in added Section 262.007(a), Local Government Code (page 1, line 20), strike "county, and a" and substitute "county. A".

(3) In SECTION 2 of the bill, in added Section 262.007(a), Local Government Code (page 1, line 22), between "name" and the period, insert "and must be brought in a state court in that county".

(4) In SECTION 2 of the bill, in added Section 262.007(b), Local Government Code (page 1, line 24, through page 2, line 1), strike "may not exceed an amount equal to the sum of" and substitute "is limited to the following".

(5) In SECTION 2 of the bill, in added Section 262.007(b)(1), Local Government Code (page 2, line 4), between "for" and "owner-caused", insert "the increased cost to perform the work as a direct result of".

(6) In SECTION 2 of the bill, strike added Sections 262.007(b)(2) and (3), Local Government Code (page 2, lines 5 through 7), and substitute the following:

(2) the amount owed for change orders or additional work required to carry out the contract;

(3) reasonable and necessary attorney's fees that are equitable and just; and

(4) interest as allowed by law.

(7) In SECTION 2 of the bill, in added Section 262.007(c), Local Government Code (page 2, line 8), strike "Except as allowed under Subsection (b), an" and substitute "An".

(8) In SECTION 2 of the bill, in added Section 262.007(c)(1), Local Government Code (page 2, line 10), strike "; or" and substitute ", except as allowed under Subsection (b)(1);".

(9) In SECTION 2 of the bill, in added Section 262.007(c)(2), Local Government Code (page 2, line 11), between

"damages" and the period, insert the following:

; or

(3) damages for unabsorbed home office overhead

(10) In SECTION 2 of the bill, after added Section 262.007(d), Local Government Code (page 2, between lines 14 and 15), insert the following:

(e) This section does not waive sovereign immunity to suit in federal court.

(11) In SECTION 3 of the bill (page 2, line 15), between "3." and "This", insert "(a)".

(12) At the end of SECTION 3 of the bill (page 2, after line 15), add the following:

(b) This Act applies only to a claim arising under a contract executed on or after September 1, 2003. A claim that arises under a contract executed before September 1, 2003, is governed by the law as it existed on the date the contract is executed, and the former law is continued in effect for that purpose.