

Amend CSSB 810 (House committee printing) as follows:

(1) Strike SECTION 7 of the bill (page 4, lines 5-9) and substitute the following:

SECTION 7. Section 1101.557, Occupations Code, is amended to read as follows:

Sec. 1101.557. ACTING AS AGENT; REGULATION OF CERTAIN TRANSACTIONS. (a) A broker [~~license holder~~] who represents a party in a real estate transaction or who lists real estate for sale under an exclusive agreement for a party is [~~acts as~~] that party's agent.

(b) A broker described by Subsection (a):

(1) may not instruct another broker to directly or indirectly violate Section 1101.652(b)(22); and

(2) must inform the party if the broker receives material information related to a transaction to list, buy, sell, or lease the party's real estate, including the receipt of an offer by the broker.

(c) For the purposes of this section:

(1) a license holder who has the authority to bind a party to a lease or sale under a power of attorney or a property management agreement is also a party to the lease or sale;

(2) an inquiry to a person described by Section 1101.005(6) about contract terms or forms required by the person's employer does not violate Section 1101.652(b)(22) if the person does not have the authority to bind the employer to the contract; and

(3) the sole delivery of an offer to a party does not violate Section 1101.652(b)(22) if:

(A) the party's broker consents to the delivery;

(B) a copy of the offer is sent to the party's broker, unless a governmental agency using a sealed bid process does not allow a copy to be sent; and

(C) the person delivering the offer does not engage in another activity that directly or indirectly violates Section 1101.652(b)(22).

(2) In SECTION 11 of the bill, in added Section 1102.1035, Occupations Code (page 6, line 22), immediately after "officers",

insert "or employees".

(3) In SECTION 11 of the bill, in added Section 1102.1035, Occupations Code (page 6, line 25), immediately after "managers", insert "or employees".