

Amend CSHB 1038 as follows:

(1) On page 10, line 14, strike "or".

(2) On page 10, between lines 14 and 15, insert the following:

(22) failure to substantially complete all the obligations under an express contract for construction without reasonable grounds for the failure, if found by a final nonappealable court judgment; or

(3) On page 10, line 15, strike "(22)" and substitute "(23)".

(Speaker in the chair)