

Amend CSHB 1038 as follows:

Add a new section after page 20, line 8 as follows:

Amend Section 426.001 of the Texas by adding subsection (d) as follows:

(d) Notwithstanding any other provision, the state-sponsored inspection and dispute resolution process is voluntary at the discretion of a homeowner until such time as a homeowner submits a request for the state-sponsored inspection and dispute resolution.

(1) A builder may not require by contract or otherwise that a homeowner use the state-sponsored inspection and dispute resolution process. The builder may not represent directly or indirectly that the state-sponsored inspection and dispute resolution process is required of a homeowner.

(2) The provisions of subsection (d) may not be waived, voided, or nullified.

Strike in Section 22, page 14, line 8 "must" and substitute "need not."

Strike in Section 22, page 14, lines 14-18.