

Amend CSHB 1038 as follows:

(1) Add the following appropriately numbered SECTION and renumber the SECTIONS of the bill accordingly:

SECTION _____. Section 426.001(a), Property Code, is amended to read as follows:

(a) This subtitle applies to a dispute between a builder and a homeowner if:

(1) the dispute arises out of an alleged construction defect, other than a claim solely for:

(A) personal injury, survival, or wrongful death; or

(B) damage to goods; and

(2) a request is submitted to the commission not later than the 30th day after ~~[on or before]~~ the 10th anniversary of:

(A) the date of the initial transfer of title from the builder to the first homeowner to own ~~[initial owner of]~~ the home or the improvement that is the subject of the dispute; or

(B) ~~[r]~~ if there is not a closing in which title is transferred, the date on which the ~~[contract for]~~ construction of the improvement was substantially completed ~~[entered into]~~.

(2) On page 20, line 13, after the period, insert "The speaker of the house of representatives shall appoint two additional members of the house of representatives who have expressed an interest in this issue as voting adjunct members of the committee for the purpose of participating in the study."