

Amend CSHB 2295 (house committee printing) as follows:

(1) Strike SECTION 50 (page 38, line 18, through page 39, line 13) of the bill and substitute the following:

SECTION 50. Section 426.006, Property Code, is amended to read as follows:

Sec. 426.006. TIME FOR REQUESTING INSPECTION OR MEDIATION [~~AND DISPUTE RESOLUTION~~]. (a) For an alleged defect discovered during an applicable warranty period, a request for the state [~~the state-sponsored~~] inspection [~~and dispute resolution~~] process or mediation under Section 428A.004 must be filed [~~requested~~] on or before the fourth [~~second~~] anniversary of the date of discovery of the conditions claimed to be evidence of the construction defect [~~but not later than the 90th day after the date the applicable warranty period expires~~].

(b) If the alleged defect would violate the statutory warranty of habitability and was not discoverable by a reasonable, prudent inspection or examination of the home or improvement within the applicable warranty period, the voluntary state [~~state-sponsored~~] inspection [~~and dispute resolution~~] process must be requested:

(1) on or before the second anniversary of the date of discovery of the conditions claimed to be evidence of the construction defect; and

(2) not later than the 10th anniversary of the date of the initial transfer of title from the builder to the initial owner of the home or improvement that is the subject of the dispute or, if there is not a closing, the date on which the contract for construction of the improvement is entered into.

(2) On page 61, line 2, between "426.005," and "428.003", insert "426.006,".