

Amend CSHB 2295 (house committee printing) as follows:

(1) Strike page 11, line 27, through page 12, line 10, and substitute the following:

SECTION 15. Section 408.002, Property Code, is amended by amending Subsections (c) and (d) to read as follows:

(c) The commission may charge a reasonable fee for:

(1) ~~[a homeowner to submit a request for state-sponsored inspection under Subtitle D,~~

~~(2)]~~ providing public information requested under Chapter 552, Government Code, excluding information requested from the commission under Section 409.001; or

(2) ~~(3)]~~ producing, mailing, and distributing special printed materials and publications generated in bulk by the commission for use and distribution by builders.

(d) The commission may not charge ~~[waive or reduce the fee for an inspection under Subtitle D for]~~ a homeowner a ~~[who demonstrates an inability to pay the]~~ fee in connection with a complaint, request, or other proceeding under Chapter 409 or Subtitle D.

(2) On page 15, line 27, strike "418.001(14)-(20)" and substitute "418.001(13)-(19)".

(3) On page 26, strike lines 7 and 8 and substitute the following:

~~(11) [failure to reimburse a homeowner the amount ordered by the commission as provided by Section 428.004(d),~~

(4) On page 26, line 9, strike "(12)" and substitute "~~(12)~~".

(5) On page 28, line 26, strike "418.001(12)" and substitute "418.001(11) ~~[418.001(12)]~~".

(6) On page 26, lines 12, 15, 17, 19, 21, 23, 27, page 27, lines 2, 6, 13, 15, 18, 22, 24, 26, and page 28, lines 3 and 6, renumber subdivisions of amended Section 418.001, Property Code, appropriately.

(7) On page 36, line 13, strike "party who submits a request" and substitute "builder ~~[party]~~ who is involved in a dispute for which a request is submitted ~~[submits a request]~~".

(8) On page 41, strike lines 16 and 17 and substitute the

following:

SECTION 55. Section 428.001, Property Code, is amended by amending Subsections (a) and (b) to read as follows:

(9) On page 41, between lines 24 and 25, insert the following:

(b) The request must:

(1) specify in reasonable detail each alleged construction defect that is a subject of the request;

(2) state the amount of any known out-of-pocket expenses and engineering or consulting fees incurred by the homeowner in connection with each alleged construction defect;

(3) include any evidence that depicts the nature and cause of each alleged construction defect and the nature and extent of repairs necessary to remedy the construction defect, including, if available, expert reports, photographs, and videotapes, if that evidence would be discoverable under Rule 192, Texas Rules of Civil Procedure;

(4) be accompanied by the fees required under Section 426.004, if applicable; and

(5) state the name of any person who has, on behalf of the requestor, inspected the home in connection with an alleged construction defect.

(10) Strike page 56, line 27, through page 57, line 1, and substitute the following:

(5) Sections 426.004(b) and (c);

(6) Section 428.001(c);

(7) Sections 428.004(d) and (e); and

(8) Subtitle E, Title 16.

(11) On page 61, strike line 2 and substitute:

(i) Sections 408.002, 426.004, 426.005, 428.002, 428.003, and 428.004,

(12) Add the following appropriately numbered Sections to the bill and renumber existing Sections of the bill accordingly:

SECTION \_\_\_\_\_. Section 419.002(c), Property Code, is amended to read as follows:

(c) A violation of Section 418.001(2) or (11) [~~(12)~~] is punishable by a penalty not to exceed \$100,000.

SECTION \_\_\_\_\_. The heading to Section 426.004, Property Code, is amended to read as follows:

Sec. 426.004. EXPENSES [~~FEES~~].