

Amend CSHB 2295 (house committee printing) as follows:

(1) On page 28, line 5, strike "or".

(2) On page 28, line 6, between "(29)" and "otherwise", insert the following:

a failure to use a contract form required by the commission under Section 420.004; or

(30)

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 420, Property Code, is amended by adding Section 420.004 to read as follows:

Sec. 420.004. STANDARD CONTRACT FORMS. (a) The commission shall adopt rules in the public's best interest that require builders to use contract forms prepared with the assistance of the Texas Real Estate Broker-Lawyer Committee and adopted by the commission for the sale or construction of a new home.

(b) The commission may not prohibit a builder from using a contract form for the sale or construction of a new home that is:

(1) prepared by the purchaser; or

(2) prepared by an attorney and required by the purchaser.

(c) A contract form adopted by the commission must comply with this chapter, except that the commission may not adopt a contract form that includes a provision that requires the parties to submit a dispute arising under the contract to binding arbitration.

SECTION _____. The Texas Residential Construction Commission shall adopt contract forms as required by Section 420.004, Property Code, as added by this Act, as soon as practicable after the effective date of this Act.