

Amend **SB 1353** (Senate Committee Report), on page 1, line 16,  
after "salesperson." by inserting the following:

"This exemption does not apply to:

(1) an express misrepresentation of a material fact  
that cannot be characterized as advice, judgment, or opinion;

(2) a failure to disclose information in violation of  
Section 17.46(b)(24); or

(3) an unconscionable action or course of action that  
cannot be characterized as advice, judgment, or opinion."