

By: Schofield

H.B. No. 2786

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on liability in certain suits concerning damages arising from acts or omissions involving a jail or detention facility owned or operated by a county or municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.023, Civil Practice and Remedies Code, is amended by adding Subsection (e) to read as follows:

(e) Liability of a county or municipality under this chapter is limited to money damages and attorney's fees in a maximum amount of \$500,000, without regard to the number of claims or claimants, in a suit concerning the actions or omissions of a keeper, operator, or employee of a jail or detention facility owned or operated by a county or municipality if the suit alleges the damages were caused by:

(1) a failure to protect;

(2) a failure to provide medical care;

(3) a condition of confinement; or

(4) a failure to train employees.

SECTION 2. Section 101.023(e), Civil Practice and Remedies Code, as added by this Act, applies as applicable to a suit that is filed on or after the effective date of this Act. A suit filed before the effective date of this Act is governed by the applicable law in effect before the effective date of this Act, and the former law is continued in effect for this purpose.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2023.