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H.B. No. 4762

A BILL TO BE ENTITLED

AN ACT

relating to liability of hospital personnel for certain uses of force while on duty.

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

SECTION 1. Subchapter A, Chapter 241, Health and Safety Code, is amended by adding Section 241.013 to read as follows:

Sec. 241.013. HOSPITAL PERSONNEL LIABILITY FOR CERTAIN USES OF FORCE. (a) In this section, "hospital personnel" includes nurses, physicians, physician assistants, maintenance or janitorial staff, receptionists, and other individuals who are employed by or work in a facility that is licensed as a general hospital or special hospital, as those terms are defined by Section 241.003, including a hospital maintained or operated by the state.

(b) An individual acting as hospital personnel is not liable to a hospital patient for an injury resulting from the individual's use of force while on duty if, under the circumstances as the individual reasonably believes them to be, the individual would be justified under Subchapter C, Chapter 9, Penal Code, in that use of force.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2023.