

1-1 By: Harris S.B. No. 19  
1-2 (In the Senate-Filed September 23, 2003; September 23, 2003,  
1-3 read first time and referred to Committee on Administration;  
1-4 September 25, 2003, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; September 25, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to liability in civil actions against municipal hospital  
1-9 authority contractors.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 261.051 and 261.052, Health and Safety  
1-12 Code, as added by Chapter 204, Acts of the 78th Legislature, Regular  
1-13 Session, 2003, are amended to read as follows:

1-14 Sec. 261.051. DEFINITION. In this subchapter, "municipal  
1-15 hospital management contractor" means a nonprofit corporation,  
1-16 partnership, or sole proprietorship that manages or operates a  
1-17 hospital or provides services under a contract with a municipality  
1-18 or a municipal hospital authority.

1-19 Sec. 261.052. LIABILITY OF A MUNICIPAL HOSPITAL MANAGEMENT  
1-20 CONTRACTOR. A municipal hospital management contractor in its  
1-21 management or operation of a hospital under a contract with a  
1-22 municipality or a municipal hospital authority is considered a  
1-23 governmental unit for purposes of Chapters 101, 102, and 108, Civil  
1-24 Practice and Remedies Code, and any employee of the contractor is,  
1-25 while performing services under the contract for the benefit of the  
1-26 hospital, an employee of the municipality for the purposes of  
1-27 Chapters 101, 102, and 108, Civil Practice and Remedies Code.

1-28 SECTION 2. This Act takes effect immediately if it receives  
1-29 a vote of two-thirds of all the members elected to each house, as  
1-30 provided by Section 39, Article III, Texas Constitution. If this  
1-31 Act does not receive the vote necessary for immediate effect, this  
1-32 Act takes effect on the 91st day after the last day of the  
1-33 legislative session.

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