

BILL ANALYSIS

C.S.H.B. 3248
By: Callegari
Civil Practices
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, only municipalities are protected from liability resulting from injuries incurred in skateboard parks.

C.S.H.B. 3248 amends the Civil Practice and Remedies Code to limit the amount of liability counties and states would face as a result of these injuries.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3248 amends Sections 75.002 (e), (f), and (g), Civil Practice and Remedies Code, to limit liability for the state and counties arising from injuries occurring at skate parks owned, operated or maintained by the state or county. It does not limit the liability for the state or county for gross negligence or acts conducted in bad faith or with malicious intent. Mandates that a warning sign is displayed at the facility and provides language for that sign.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3248 substitutes the term "facility" for "building." This change was made to cover skate parks that do not have a building on their property.