

By: Rose

H.B. No. 3410

A BILL TO BE ENTITLED

AN ACT

1
2 relating to immunity from liability for certain civil actions and
3 civil actions against sales agents.

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

5 SECTION 1. Subchapter D, Chapter 466, Government Code, is
6 amended by adding Section 466.161 to read as follows:

7 Sec. 466.161. IMMUNITY; CIVIL ACTIONS. (a) A sales agent
8 acting in good faith is immune from civil liability for an act or
9 omission within the course and scope of the agent's license under
10 this chapter.

11 (b) This section does not waive any immunity of the
12 commission or this state.

13 (c) This section does not create a cause of action against
14 this state, the commission, a commission employee, or a sales
15 agent.

16 SECTION 2. Section 466.161, Government Code, as added by
17 this Act, applies only to a civil action filed on or after the
18 effective date of this Act. A civil action filed before the
19 effective date of this Act is governed by the law in effect
20 immediately before the effective date of this Act, and that law is
21 continued in effect for that purpose.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.