

Amend **HB 416** on third reading in SECTION 2 of the bill, in added Section 341.069, Health and Safety Code (page 2, between lines 21 and 22), by inserting a new Subsection (d) and relettering the remaining Subsections of added Section 341.069, Health and Safety Code, as appropriate:

(d) A retail establishment or an employee of a retail establishment is not liable in civil damages for any act or omission in allowing a customer to use an employee toilet facility that is not a public restroom in accordance with this section if the act or omission:

(1) is not willful or grossly negligent;

(2) occurs in an area of the retail establishment that is not accessible to the public; and

(3) results in property damage or bodily injury to or death of the customer or any individual other than an employee accompanying the customer.