

BILL ANALYSIS

H.B. 1560
By: Callegari
Civil Practices
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, there is limited liability for damages that arise directly from certain recreational activities on premises that are owned by the state, a municipality, or a county. H.B. 1560 amends the Civil Practice and Remedies Code to extend this limited liability to paintball use.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Amends Section 75.002 (e) and (g) of the Civil Practice and Remedies Code to include paintball use in the definition of "recreation," and provide for limited liability for damages that arise directly from paintball use on premises that are owned by a state, municipality, or county. Requires that warning signs posted on or near state, city or county parks specify that such government have limited liability protection for damages arising out of paintball use.

SECTION 2. Implementation language clarifying that the changes in statute effected by the Act apply to offenses committed on or after the effective date.

SECTION 3. Immediate effect if passed by a two-thirds vote in each chamber, otherwise effective 1 September 2007.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.