

1-1 By: Callegari (Senate Sponsor - Jackson) H.B. No. 1560
1-2 (In the Senate - Received from the House April 10, 2007;
1-3 April 11, 2007, read first time and referred to Committee on State
1-4 Affairs; April 30, 2007, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; April 30, 2007, sent to printer.)

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

1-8 relating to liability of a governmental unit for certain
1-9 recreational activities.

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

1-11 SECTION 1. Sections 75.002(e) and (g), Civil Practice and
1-12 Remedies Code, are amended to read as follows:

1-13 (e) In this section, "recreation" means, in addition to its
1-14 meaning under Section 75.001, the following activities only if the
1-15 activities take place on premises owned, operated, or maintained by
1-16 a governmental unit for the purposes of those activities:

1-17 (1) hockey and in-line hockey;

1-18 (2) skating, in-line skating, roller-skating,
1-19 skateboarding, and roller-blading; ~~and~~

1-20 (3) soap box derby use; and

1-21 (4) paintball use.

1-22 (g) Any premises a governmental unit owns, operates, or
1-23 maintains and on which the recreational activities described in
1-24 Subsections (e)(1)-(4) [~~(e)(1) and (2)~~] are conducted shall post
1-25 and maintain a clearly readable sign in a clearly visible location
1-26 on or near the premises. The sign shall contain the following
1-27 warning language:

1-28 WARNING

1-29 TEXAS LAW (CHAPTER 75, CIVIL PRACTICE AND REMEDIES
1-30 CODE) LIMITS THE LIABILITY OF A GOVERNMENTAL UNIT FOR
1-31 DAMAGES ARISING DIRECTLY FROM HOCKEY, IN-LINE HOCKEY,
1-32 SKATING, IN-LINE SKATING, ROLLER-SKATING,
1-33 SKATEBOARDING, ROLLER-BLADING, PAINTBALL USE, OR SOAP
1-34 BOX DERBY USE ON PREMISES THAT THE GOVERNMENTAL UNIT
1-35 OWNS, OPERATES, OR MAINTAINS FOR THAT PURPOSE.

1-36 SECTION 2. This Act applies only to a cause of action that
1-37 accrues on or after the effective date of this Act. A cause of
1-38 action that accrues before the effective date of this Act is
1-39 governed by the law in effect immediately before that date, and that
1-40 law is continued in effect for that purpose.

1-41 SECTION 3. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2007.

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