

By: Parker, et al.

H.B. No. 2117

Substitute the following for H.B. No. 2117:

By: Martinez Fischer

C.S.H.B. No. 2117

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the liability of certain persons who administer
3 emergency care.

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

5 SECTION 1. Section 74.151(a), Civil Practice and Remedies
6 Code, is amended to read as follows:

7 (a) A person who in good faith administers emergency care [~~7~~
8 ~~including using an automated external defibrillator,~~] is not liable
9 in civil damages for an act performed during the emergency unless
10 the act is wilfully or wantonly negligent, including a person who:

11 (1) administers emergency care using an automated
12 external defibrillator; or

13 (2) administers emergency care as a volunteer who is a
14 first responder as the term is defined under Section 421.095,
15 Government Code.

16 SECTION 2. The purpose of this Act is to clarify rather than
17 change existing law.

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