

By: Jackson, Mike

S.B. No. 774

A BILL TO BE ENTITLED

1 AN ACT

2 relating to liability of a governmental unit for certain
3 recreational activities.

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

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

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

11 (1) hockey and in-line hockey;

12 (2) skating, in-line skating, roller-skating,
13 skateboarding, and roller-blading; ~~and~~

14 (3) soap box derby use; and

15 (4) paintball use.

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

22 WARNING

23 TEXAS LAW (CHAPTER 75, CIVIL PRACTICE AND REMEDIES

24 CODE) LIMITS THE LIABILITY OF A GOVERNMENTAL UNIT FOR

1 DAMAGES ARISING DIRECTLY FROM HOCKEY, IN-LINE HOCKEY,
2 SKATING, IN-LINE SKATING, ROLLER-SKATING,
3 SKATEBOARDING, ROLLER-BLADING, PAINTBALL USE, OR SOAP
4 BOX DERBY USE ON PREMISES THAT THE GOVERNMENTAL UNIT
5 OWNS, OPERATES, OR MAINTAINS FOR THAT PURPOSE.

6 SECTION 2. This Act applies only to a cause of action that
7 accrues on or after the effective date of this Act. A cause of
8 action that accrues before the effective date of this Act is
9 governed by the law in effect immediately before that date, and that
10 law is continued in effect for that purpose.

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