

By: Frost

H.B. No. 3867

A BILL TO BE ENTITLED

AN ACT

relating to allocation of responsibility for damages arising out of the sale or service of alcoholic beverages.

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

SECTION 1. Chapter 2, Alcoholic Beverage Code, is amended by adding Section 2.04 to read as follows:

Sec. 2.04. JOINT AND SEVERAL LIABILITY. Notwithstanding Chapter 33, Civil Practice and Remedies Code, a provider of alcoholic beverages is jointly and severally liable for damages in an action under this chapter.

SECTION 2. The change in law made by this Act applies only to an action commenced on or after the effective date of this Act. An action commenced before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.