

By: Vaught

H.B. No. 3888

A BILL TO BE ENTITLED

AN ACT

relating to immunity from liability of certain professional employees of school districts.

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

SECTION 1. Section 22.051(a), Education Code, is amended to read as follows:

(a) In this subchapter, "professional employee of a school district" includes:

(1) a superintendent, principal, teacher, including a substitute teacher, supervisor, social worker, counselor, nurse, and teacher's aide employed by a school district;

(2) a teacher employed by a company that contracts with a school district to provide the teacher's services to the district;

(3) a student in an education preparation program participating in a field experience or internship;

(4) a school bus driver certified in accordance with standards and qualifications adopted by the Department of Public Safety of the State of Texas;

(5) a member of the board of trustees of an independent school district;

(6) a physical therapist, speech-language pathologist, audiologist, athletic trainer, or school psychologist; and

1 (7) [~~(6)~~] any other person employed by a school
2 district whose employment requires certification and the exercise
3 of discretion.

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

9 SECTION 3. This Act takes effect September 1, 2009.