

By: Hinojosa

S.B. No. 1153

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a landowner for an act or omission of a firefighter or peace officer on the property of the landowner.

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

SECTION 1. Chapter 75, Civil Practice and Remedies Code, is amended by adding Section 75.006 to read as follows:

Sec. 75.006. LIABILITY LIMITED FOR ACTIONS OF FIREFIGHTER OR PEACE OFFICER. (a) In this section:

(1) "Firefighter" means a member of a fire department who performs a function listed in Section 419.021(3)(C), Government Code.

(2) "Livestock" has the meaning assigned by Section 1.003, Agriculture Code.

(3) "Peace officer" has the meaning assigned by Section 1.07, Penal Code, or other state or federal law.

(b) A landowner is not liable for damages arising from an incident or accident caused by livestock of the landowner due to an act or omission of a firefighter or a peace officer who has entered the landowner's property with or without the permission of the landowner, regardless of whether the damage occurs on the landowner's property.

SECTION 2. The change in law made by this Act applies only to an act or omission of a firefighter or peace officer that occurs on or after the effective date of this Act. An act or omission of a

1 firefighter or peace officer that occurred before the effective  
2 date of this Act is covered by the law in effect when the act or  
3 omission occurred, and the former law is continued in effect for  
4 that purpose.

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