

AN ACT

relating to a study regarding tort liability arising from a volunteer's operation of a Parks and Wildlife Department vehicle.

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

SECTION 1. (a) The Parks and Wildlife Department shall conduct a study and issue a report regarding potential tort liability arising from the operation of a department-owned motor vehicle by a person in the course and scope of performing volunteer services for the department.

(b) In conducting the study, the department shall consult with:

- (1) the Office of the Attorney General;
- (2) the State Office of Risk Management;
- (3) the Texas Department of Insurance;
- (4) organized volunteer groups; and
- (5) other interested persons and organizations.

(c) The report required by Subsection (a) of this section must:

- (1) identify and evaluate alternatives for providing tort liability protection for persons operating a department-owned motor vehicle in the course and scope of performing volunteer services for the department;

- (2) evaluate the extent to which the alternatives provide protection for members of the public, including visitors to

1 department sites; and

2 (3) make recommendations for providing the tort
3 liability protection described by Subdivision (1) of this
4 subsection, including proposed legislative changes necessary to
5 implement the recommendations, and specify the estimated costs of
6 implementing the recommendations.

7 (d) The department shall submit the report required by
8 Subsection (a) of this section not later than December 1, 2012, to:

9 (1) the governor;

10 (2) the lieutenant governor;

11 (3) the speaker of the house of representatives;

12 (4) the chair of the House Committee on Culture,
13 Recreation, and Tourism; and

14 (5) the chair of the Senate Committee on Natural
15 Resources.

16 (e) This section expires September 1, 2013.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 1450 was passed by the House on April 26, 2011, by the following vote: Yeas 147, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1450 was passed by the Senate on May 13, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor