

1-1 By: Guillen (Senate Sponsor - Zaffirini) H.B. No. 1450  
1-2 (In the Senate - Received from the House April 27, 2011;  
1-3 May 2, 2011, read first time and referred to Committee on  
1-4 Agriculture and Rural Affairs; May 11, 2011, reported favorably by  
1-5 the following vote: Yeas 3, Nays 0; May 11, 2011, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to a study regarding tort liability arising from a  
1-10 volunteer's operation of a Parks and Wildlife Department vehicle.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. (a) The Parks and Wildlife Department shall  
1-13 conduct a study and issue a report regarding potential tort  
1-14 liability arising from the operation of a department-owned motor  
1-15 vehicle by a person in the course and scope of performing volunteer  
1-16 services for the department.

1-17 (b) In conducting the study, the department shall consult  
1-18 with:

- 1-19 (1) the Office of the Attorney General;
- 1-20 (2) the State Office of Risk Management;
- 1-21 (3) the Texas Department of Insurance;
- 1-22 (4) organized volunteer groups; and
- 1-23 (5) other interested persons and organizations.

1-24 (c) The report required by Subsection (a) of this section  
1-25 must:

1-26 (1) identify and evaluate alternatives for providing  
1-27 tort liability protection for persons operating a department-owned  
1-28 motor vehicle in the course and scope of performing volunteer  
1-29 services for the department;

1-30 (2) evaluate the extent to which the alternatives  
1-31 provide protection for members of the public, including visitors to  
1-32 department sites; and

1-33 (3) make recommendations for providing the tort  
1-34 liability protection described by Subdivision (1) of this  
1-35 subsection, including proposed legislative changes necessary to  
1-36 implement the recommendations, and specify the estimated costs of  
1-37 implementing the recommendations.

1-38 (d) The department shall submit the report required by  
1-39 Subsection (a) of this section not later than December 1, 2012, to:

- 1-40 (1) the governor;
- 1-41 (2) the lieutenant governor;
- 1-42 (3) the speaker of the house of representatives;
- 1-43 (4) the chair of the House Committee on Culture,  
1-44 Recreation, and Tourism; and
- 1-45 (5) the chair of the Senate Committee on Natural  
1-46 Resources.

1-47 (e) This section expires September 1, 2013.

1-48 SECTION 2. This Act takes effect immediately if it receives  
1-49 a vote of two-thirds of all the members elected to each house, as  
1-50 provided by Section 39, Article III, Texas Constitution. If this  
1-51 Act does not receive the vote necessary for immediate effect, this  
1-52 Act takes effect September 1, 2011.

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