By: Garza

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the liability of a school district that allows the use

3 of land and facilities that the school district owns, occupies, or

4 leases for recreational or educational purposes.

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

6   SECTION 1.   Chapter 75, Civil Practice and Remedies Code, is

7 amended by adding Section 75.0022 to read as follows:

8   Sec. 75.0022.   IMMUNITY FROM LIABILITY OF SCHOOL DISTRICT.

9 (a) In this section, "person" includes an individual as defined by

10 Section 71.001.

11   (b) A school district that, as the owner, easement owner,

12 occupant, or lessee of land or facilities, gives permission to a

13 person to enter the premises for recreational or educational

14 purposes does not, by giving that permission:

15   (1)   ensure that the premises are safe; or

16   (2)   assume responsibility or incur liability for any

17 bodily or other personal injury to, death of, or damage to the

18 property of a person who enters the premises for recreational or

19 educational purposes or accompanies another person entering the

20 premises for recreational or educational purposes, including

21 injury, death, or other damage arising from an act of a third party

22 that occurs on the premises, regardless of whether the act is

23 intentional.

24   (c)   This section applies only if a school district does not

1　charge a person for the use of the property or facility of the

2　district other than a charge to reimburse the district the actual

3　cost associated with the use by the person of the property or

4　facility.

5　　　　　SECTION 2.　This Act applies only to a cause of action that

6　accrues on or after the effective date of this Act.　A cause of

7　action that accrues before the effective date of this Act is

8　governed by the law in effect immediately before that date, and that

9　law is continued in effect for that purpose.

10　　　　　SECTION 3.　This Act takes effect September 1, 2011.