

By: Hartnett

H.B. No. 2726

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability of an employee of an independent contractor
3 of a transportation entity.

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

5 SECTION 1. Section 452.056, Transportation Code, is amended
6 by amending Subsection (d) to read as follows:

7 (d) A private operator who contracts with an authority under
8 this chapter is not a public entity for purposes of any law of this
9 state except that an independent contractor of the authority or an
10 employee of the independent contractor that, on or after June 14,
11 1989, performs a function of the authority or an entity described by
12 Section 452.0561 that is created to provide transportation services
13 is liable for damages only to the extent that the authority or
14 entity would be liable if the authority or entity itself were
15 performing the function and only for a cause of action that accrues
16 on or after that date.

17 SECTION 2. Section 452.0561, Transportation Code, is
18 amended by amending Subsection (a) to read as follows:

19 (a) This section applies only to a transportation entity
20 created under:

21 (1) Subtitle C or D of Title 5, ~~or~~ Chapter 172, 173,
22 or 174, or this chapter; or

23 (2) former Title 112, Revised Statutes.

24 SECTION 3. The change in law made by this Act applies only

1 to a cause of action that accrues on or after the effective date of
2 this Act. A cause of action that accrues before the effective date
3 of this Act is governed by the law in effect immediately before the
4 effective date of his Act, and that law is continued in effect for
5 that purpose.

6 SECTION 4. This Act takes effect September 1, 2011.