

Suspending limitations on conference committee jurisdiction, S.B. No. 321 (Hegar/Kleinschmidt)

By: Kleinschmidt

H.R. No. 2406

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 82nd Legislature, Regular Session, 2011, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on Senate Bill 321 (employee's  
6 transportation and storage of certain firearms or ammunition while  
7 on certain property owned or controlled by the employee's employer)  
8 to consider and take action on the following matter:

9 House Rule 13, Section 9(a)(1), is suspended to permit the  
10 committee to change text not in disagreement in proposed SECTION 1  
11 of the bill, in added Section 52.063, Labor Code, to read as  
12 follows:

13 Sec. 52.063. IMMUNITY FROM CIVIL LIABILITY. (a) Except in  
14 cases of gross negligence, a public or private employer, or the  
15 employer's principal, officer, director, employee, or agent, is not  
16 liable in a civil action for personal injury, death, property  
17 damage, or any other damages resulting from or arising out of an  
18 occurrence involving a firearm or ammunition that the employer is  
19 required to allow on the employer's property under this subchapter.

20 (b) The presence of a firearm or ammunition on an employer's  
21 property under the authority of this subchapter does not by itself  
22 constitute a failure by the employer to provide a safe workplace.

23 (c) For purposes of this section, a public or private  
24 employer, or the employer's principal, officer, director,

1 employee, or agent, does not have a duty:

2 (1) to patrol, inspect, or secure:

3 (A) any parking lot, parking garage, or other  
4 parking area the employer provides for employees; or

5 (B) any privately owned motor vehicle located in  
6 a parking lot, parking garage, or other parking area described by  
7 Paragraph (A); or

8 (2) to investigate, confirm, or determine an  
9 employee's compliance with laws related to the ownership or  
10 possession of a firearm or ammunition or the transportation and  
11 storage of a firearm or ammunition.

12 Explanation: This change is necessary to clarify the  
13 responsibilities and immunity from civil liability of persons under  
14 this Act.