

By: Ellis
(Taylor of Galveston)

S.B. No. 1560

A BILL TO BE ENTITLED

AN ACT

relating to liability of certain local emergency management or
homeland security organizations.

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

SECTION 1. Subdivision (1), Section 101.001, Civil Practice
and Remedies Code, is amended to read as follows:

(1) "Emergency service organization" means:

(A) a volunteer fire department, rescue squad, or
an emergency medical services provider that is:

(i) ~~[(A)]~~ operated by its members; and

(ii) ~~[(B)]~~ exempt from state taxes by being
listed as an exempt organization under Section 151.310 or 171.083,
Tax Code; or

(B) a local emergency management or homeland
security organization that is:

(i) formed and operated as a state resource
in accordance with the statewide homeland security strategy
developed by the governor under Section 421.002, Government Code;
and

(ii) responsive to the Texas Division of
Emergency Management in carrying out an all-hazards emergency
management program under Section 418.112, Government Code.

SECTION 2. The change in law made by this Act applies only
to a cause of action that accrues on or after the effective date of

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

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2011.