

1-1 By: Ellis S.B. No. 1560
1-2 (In the Senate - Filed March 10, 2011; March 23, 2011, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 21, 2011, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 21, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to liability of certain local emergency management or
1-9 homeland security organizations.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subdivision (1), Section 101.001, Civil Practice
1-12 and Remedies Code, is amended to read as follows:

1-13 (1) "Emergency service organization" means:

1-14 (A) a volunteer fire department, rescue squad, or
1-15 an emergency medical services provider that is:

1-16 (i) ~~[(A)]~~ operated by its members; and

1-17 (ii) ~~[(B)]~~ exempt from state taxes by being
1-18 listed as an exempt organization under Section 151.310 or 171.083,
1-19 Tax Code; or

1-20 (B) a local emergency management or homeland
1-21 security organization that is:

1-22 (i) formed and operated as a state resource
1-23 in accordance with the statewide homeland security strategy
1-24 developed by the governor under Section 421.002, Government Code;
1-25 and

1-26 (ii) responsive to the Texas Division of
1-27 Emergency Management in carrying out an all-hazards emergency
1-28 management program under Section 418.112, Government Code.

1-29 SECTION 2. The change in law made by this Act applies only
1-30 to a cause of action that accrues on or after the effective date of
1-31 this Act. A cause of action that accrues before the effective date
1-32 of this Act is governed by the law in effect immediately before the
1-33 effective date of this Act, and that law is continued in effect for
1-34 that purpose.

1-35 SECTION 3. This Act takes effect immediately if it receives
1-36 a vote of two-thirds of all the members elected to each house, as
1-37 provided by Section 39, Article III, Texas Constitution. If this
1-38 Act does not receive the vote necessary for immediate effect, this
1-39 Act takes effect September 1, 2011.

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