

BILL ANALYSIS

H.B. 2751
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that, under current law, if an individual chooses to provide labor or volunteer assistance to the Texas Forest Service as part of the agency's attempts to suppress the frequent wildfires in the state, the individual is not protected from liability for civil damages that may occur as a result of that labor or assistance, such as personal injury, wrongful death, property damage, death, or other loss. H.B. 2751 seeks to ensure that such an individual is protected from civil liability under certain conditions.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2751 amends the Education Code to grant an individual providing labor or assistance to the Texas Forest Service in the performance of certain fire suppression duties on privately-owned land immunity from liability for civil damages, including personal injury, wrongful death, property damage, death, or other loss resulting from any act, error, or omission by the individual in providing that labor or assistance unless the act, error, or omission proximately caused the loss and was performed with malice or constitutes gross negligence, recklessness, or intentional misconduct.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.