

By: Lucio

S.B. No. 1442

A BILL TO BE ENTITLED

AN ACT

relating to the tort liability of juvenile probation departments and juvenile boards.

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

SECTION 1. Chapter 142, Human Resources Code, is amended by adding Section 142.0045 to read as follows:

Sec. 142.0045. GOVERNMENTAL LIABILITY. (a) For purposes of Subchapter B, Chapter 101, Civil Practice and Remedies Code, a juvenile probation department is considered to be a governmental unit of the state government.

(b) For purposes of Chapter 101, Civil Practice and Remedies Code, an employee of a juvenile probation department is considered to be an employee of a governmental unit of the state government.

(c) For purposes of Chapter 104, Civil Practice and Remedies Code, an employee of a juvenile probation department is considered to be an employee of a state agency.

SECTION 2. Subchapter A, Chapter 152, Human Resources Code, is amended by adding Section 152.00125 to read as follows:

Sec. 152.00125. GOVERNMENTAL LIABILITY. (a) For purposes of Subchapter B, Chapter 101, Civil Practice and Remedies Code, a juvenile board is considered to be a governmental unit of the state government.

(b) For purposes of Chapter 101, Civil Practice and Remedies Code, a juvenile board member or employee of a juvenile board is

1 considered to be an employee of a governmental unit of the state
2 government.

3 (c) For purposes of Chapter 104, Civil Practice and Remedies
4 Code, a juvenile board member or employee of a juvenile board is
5 considered to be an employee of a state agency.

6 SECTION 3. Sections 152.0013 and 152.0014, Human Resources
7 Code, are repealed.

8 SECTION 4. The change in law made by this Act applies only
9 to a cause of action that accrues on or after the effective date of
10 this Act. A cause of action that accrues before the effective date
11 of this Act is governed by the law in effect immediately before that
12 date, and that law is continued in effect for that purpose.

13 SECTION 5. This Act takes effect September 1, 2013.