

BILL ANALYSIS

Senate Research Center
84R4751 SCL-D

H.B. 1666
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

"Good Samaritan laws" laws—limiting liability when strangers help others in times of need or emergency—cover volunteers during an actual emergency or disaster response, leaving the thousands of volunteers and the volunteer organizations they work for exposed to liability during planning, training, and exercises. H.B. 1666 seeks to extend immunity from liability to emergency and disaster volunteers during planning and training exercises.

H.B. 1666 amends current law relating to the liability of certain persons for damages arising from training exercises to prepare the persons to respond to certain emergencies.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 78, Civil Practice and Remedies Code, by adding Subchapter D, as follows:

SUBCHAPTER D. LIABILITY FOR TRAINING EXERCISES

Sec. 78.151. LIABILITY FOR TRAINING EXERCISES. Provides that a person is not liable for damages resulting from the person's execution of a training exercise intended to prepare the person to respond to a fire or emergency to which this chapter applies to the same extent that the person would not be liable under this chapter for damages resulting from the person's actions in responding to a fire or emergency.

SECTION 2. Amends Chapter 79, Civil Practice and Remedies Code, by adding Section 79.004, as follows:

Sec. 79.004. LIABILITY FOR TRAINING EXERCISES. Provides that, except in a case of reckless conduct or intentional, wilful, or wanton misconduct, a person who is immune from civil liability for an act or omission that occurs in giving care, assistance, or advice with respect to the management of an incident to which this chapter applies is immune from civil liability for an act or omission that occurs during the execution of a training exercise intended to prepare the person to give that care, assistance, or advice.

SECTION 3. Provides that this Act applies to an act or omission in relation to a training exercise the execution of which begins on or after the effective date of this Act, without regard to whether the planning or scheduling of the exercise took place before, on, or after that date.

SECTION 4. Effective date: September 1, 2015.