

By: Anderson of McLennan, Huberty, Kacal,  
Stephenson

H.B. No. 639

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing the purchase of certain insurance coverage  
3 by public schools for the benefit of businesses and students  
4 participating in career and technology programs and providing for  
5 immunity from liability of certain public school students  
6 participating in career and technology programs.

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

8 SECTION 1. Subchapter F, Chapter 29, Education Code, is  
9 amended by adding Sections 29.191 and 29.192 to read as follows:

10 Sec. 29.191. ACCIDENT, LIABILITY, AND AUTOMOBILE INSURANCE  
11 COVERAGE. (a) The board of trustees of a school district or the  
12 governing body of an open-enrollment charter school may obtain  
13 accident, liability, or automobile insurance coverage to protect:

14 (1) a business or entity that participates with the  
15 district or school to provide district or school students a career  
16 and technology program; and

17 (2) a district or school student who participates in a  
18 district or school career and technology program.

19 (b) The coverage authorized by this section must be:

20 (1) obtained from a reliable insurer authorized to  
21 engage in business in this state; or

22 (2) for a district, provided through the district's  
23 self-funded risk pool.

24 (c) The amount of coverage a district or school obtains:

1           (1) must be reasonable considering the financial  
2 condition of the district or school; and

3           (2) may not exceed the amount that is reasonably  
4 necessary in the opinion of, as applicable, the board of trustees of  
5 the district or the governing body of the school.

6           (d) If the board of trustees of a district or the governing  
7 body of a school obtains accident, liability, or automobile  
8 insurance coverage under this section, an administrator designated  
9 by the board of trustees of the district or governing body of the  
10 school, as applicable, shall notify the parent or guardian of each  
11 student participating in the career and technology program.

12           (e) A district or school may not directly or indirectly  
13 charge a student or the student's parent or guardian for the cost of  
14 providing to the student insurance under this section.

15           (f) The failure of any board of trustees of a district or the  
16 governing body of a school to obtain coverage authorized by this  
17 section or to obtain a specific amount of coverage under this  
18 section may not be construed as placing any legal liability on, as  
19 applicable, the district or the district's officers, agents, or  
20 employees or the school or the school's officers, agents, or  
21 employees.

22           Sec. 29.192. IMMUNITY FROM LIABILITY. A student who  
23 participates in a career and technology program approved by a  
24 school district or an open-enrollment charter school is entitled to  
25 immunity in the same manner provided under Section 22.053 as a  
26 volunteer who is serving as a direct service volunteer of a district  
27 or school.

1 SECTION 2. Section 29.187(f), Education Code, is repealed.

2 SECTION 3. This Act applies beginning with the 2017-2018  
3 school year.

4 SECTION 4. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2017.