

## **BILL ANALYSIS**

H.B. 3365  
By: Paul  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Due to the advancement of social media and technology, grassroots volunteer organizations are able to play an integral role in the response to disasters like Hurricane Harvey by being able to quickly mobilize thousands of volunteers to help in crisis situations. However, concerns have been raised regarding the lack of civil protections, also known as Good Samaritan laws, afforded to these organizations and their volunteers. H.B. 3365 seeks to remedy this situation by providing certain liability protections to charitable organizations and emergency response agencies and their volunteers.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 3365 amends the Civil Practice and Remedies Code to make a person immune from civil liability for an act or omission that occurs in giving care, assistance, or advice at the request of a charitable organization providing services to mitigate the effects of a disaster incident. The bill specifies that an applicable disaster includes a major disaster declared by the president of the United States or a disaster declared by the governor under the Texas Disaster Act of 1975.

H.B. 3365 makes an applicable charitable organization; an applicable local, state, or federal entity; and such an entity's authorized representative immune from liability for the act or omission of a person providing care, assistance, or advice at the organization's, entity's, or representative's request, as applicable. The bill establishes that these immunities are in addition to any other immunity or limitations of liability provided by law, including those provided by specified statutes.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.