

BILL ANALYSIS

Senate Research Center

S.B. 694
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State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Mass shootings often target places of worship. The attack on First Baptist Church of Sutherland Springs, Texas, on November 5, 2017, was the most deadly mass shooting in state history, leaving 26 dead and 22 wounded.

As religious organizations seek to protect themselves, immunity from civil liability is an important consideration. Religious organizations are charitable organizations under Section 110.011 of the Civil Practices and Remedies Code. Section 84.004 of that code provides civil liability immunity to volunteers of charitable organizations. S.B. 694 amends Chapter 84 to ensure that not only volunteers but also employees performing security duties at religious organizations will be protected from civil liability for any act in the course and scope of the security personnel's duty.

S.B. 694 amends current law relating to liability of a religious organization or an employee or volunteer of a religious organization for security services provided to the organization.

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 84, Civil Practice and Remedies Code, by adding Section 84.0067, as follows:

Sec. 84.0067. LIABILITY ARISING FROM PROVISION OF SECURITY SERVICES TO RELIGIOUS ORGANIZATION. (a) Defines "religious organization" and "security personnel."

(b) Provides that a religious organization or security personnel of a religious organization is immune from civil liability for any act or omission by the security personnel resulting in death, damage, or injury if the security personnel was acting in the course and scope of the security personnel's employment or volunteer duties or functions, as applicable, to provide security services to the organization, including:

(1) notwithstanding Section 84.007(a) (relating to the inapplicability of Chapter 84 (Charitable Immunity and Liability) to an act that is done with disregard for the safety of others), an intentional act; and

(2) an act involving possession or use of a firearm.

SECTION 2. Makes application of Section 84.0067, Civil Practice and Remedies Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2023.