

1-1 By: Isaac, et al. (Senate Sponsor - Campbell) H.B. No. 1130  
1-2 (In the Senate - Received from the House April 23, 2025;  
1-3 April 24, 2025, read first time and referred to Committee on State  
1-4 Affairs; May 5, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 10, Nays 0; May 5, 2025,  
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hughes	X			
1-10	Paxton	X			
1-11	Bettencourt	X			
1-12	Birdwell	X			
1-13	Hall	X			
1-14	Hinojosa of Nueces	X			
1-15	Middleton			X	
1-16	Parker	X			
1-17	Perry	X			
1-18	Schwertner	X			
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 1130 By: Parker

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to liability of a cavern entity for injuries arising from  
1-24 certain activities.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Title 4, Civil Practice and Remedies Code, is  
1-27 amended by adding Chapter 75C to read as follows:

1-28 CHAPTER 75C. LIMITED LIABILITY FOR CAVERN ACTIVITIES

1-29 Sec. 75C.001. DEFINITIONS. In this chapter:

1-30 (1) "Cavern activity" means an activity inside a  
1-31 cavern at a cavern area for recreational or educational purposes.

1-32 (2) "Cavern activity participant" means an  
1-33 individual, other than an employee of a cavern entity, who engages  
1-34 in a cavern activity.

1-35 (3) "Cavern activity participant injury" means an  
1-36 injury sustained by a cavern activity participant, including bodily  
1-37 injury, emotional distress, death, property damage, or any other  
1-38 loss arising from the person's participation in a cavern activity.

1-39 (4) "Cavern area" means a commercial property with a  
1-40 natural cavern designed to provide cavern access for cavern  
1-41 activities.

1-42 (5) "Cavern entity" means a person engaged in the  
1-43 business of owning or operating a cavern area.

1-44 Sec. 75C.002. LIMITED LIABILITY. (a) Except as provided by  
1-45 Subsection (b), a cavern entity is not liable to any person for a  
1-46 cavern activity participant injury or damages arising out of a  
1-47 cavern activity participant injury if, at the time of the cavern  
1-48 activity participant injury, the warning prescribed by Section  
1-49 75C.003 was posted in accordance with that section.

1-50 (b) This section does not limit liability for an injury:

1-51 (1) proximately caused by:

1-52 (A) the cavern entity's negligence with regard to  
1-53 the safety of the cavern area or cavern activity participant;

1-54 (B) a potentially dangerous condition at the  
1-55 cavern area, including inside the cavern at the cavern area, of  
1-56 which the cavern entity knew or reasonably should have known; or

1-57 (C) the cavern entity's failure to train or  
1-58 improper training of an employee of the cavern entity actively  
1-59 involved in the cavern area or a cavern activity; or

1-60 (2) intentionally caused by the cavern entity.

2-9 TEXAS LAW (CHAPTER 75C, CIVIL PRACTICE AND REMEDIES CODE) LIMITS  
2-10 THE LIABILITY OF A CAVERN ENTITY FOR INJURIES OR DEATH OF A CAVERN  
2-11 ACTIVITY PARTICIPANT RESULTING FROM A CAVERN ACTIVITY.

2-15 SECTION 3. This Act takes effect immediately if it receives  
2-16 a vote of two-thirds of all the members elected to each house, as  
2-17 provided by Section 39, Article III, Texas Constitution. If this  
2-18 Act does not receive the vote necessary for immediate effect, this  
2-19 Act takes effect September 1, 2025.

2-20