

By: Guillen

H.B. No. 1990

A BILL TO BE ENTITLED

AN ACT

relating to limitation of certain liability of owners, lessees, and occupants of nonagricultural land.

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

SECTION 1. Chapter 75, Civil Practice and Remedies Code, is amended by adding Section 75.0065 to read as follows:

Sec. 75.0065. CERTAIN LIABILITY LIMITED IN CONNECTION WITH NONAGRICULTURAL LAND. (a) In this section:

(1) "Federal law enforcement officer" means a law enforcement officer as defined by 5 U.S.C. Section 8331(20).

(2) "Firefighter" means a member of a fire department who performs a function listed in Section 419.021(3)(C), Government Code.

(3) "Peace officer" has the meaning assigned by Section 1.07, Penal Code, or other state or federal law.

(4) "Trespasser" has the meaning assigned by Section 75.007.

(b) An owner, lessee, or occupant of nonagricultural land is not liable for any damage or injury to any person or property, regardless of whether the damage or injury occurs on the land, that arises from:

(1) the actions or omissions of a peace officer or federal law enforcement officer when the officer enters or causes another person to enter the land with or without the permission of

1 the owner, lessee, or occupant;

2 (2) the actions or omissions of a firefighter when the
3 firefighter enters or causes another person to enter the land with
4 or without the permission of the owner, lessee, or occupant;

5 (3) the actions or omissions of a trespasser who
6 enters the land;

7 (4) the actions or omissions of a third party who
8 enters the land without the owner's, lessee's, or occupant's express
9 or implied permission and damages a fence or gate on the land,
10 including damage caused by a vehicle or other means; or

11 (5) wildlife or an act of God.

12 (c) The owner, lessee, or occupant of nonagricultural land
13 is not liable for any damage or injury to any person or property
14 that arises from the actions of an individual who enters or causes
15 another person to enter the land without the permission of the
16 owner, lessee, or occupant because of:

17 (1) the actions or omissions of a peace officer,
18 federal law enforcement officer, or firefighter;

19 (2) the actions or omissions of a trespasser who
20 enters the land;

21 (3) the actions or omissions of a third party who,
22 without the owner's, lessee's, or occupant's express or implied
23 permission, damages a fence or gate on the land, including damage
24 caused by a vehicle or other means; or

25 (4) wildlife or an act of God.

26 (d) This section does not limit the liability of an owner,
27 lessee, or occupant of nonagricultural land for any damage or

1 injury that arises from a wilful or wanton act or gross negligence
2 by the owner, lessee, or occupant.

3 SECTION 2. Section 75.0065, Civil Practice and Remedies
4 Code, as added by this Act, applies only to a cause of action that
5 accrues on or after the effective date of this Act.

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