

By: Hall, et al.

S.B. No. 1730

A BILL TO BE ENTITLED

AN ACT

relating to the recovery of damages for injuries arising out of certain uses of force or deadly force.

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

SECTION 1. Chapter 83, Civil Practice and Remedies Code, is amended by adding Sections 83.002 and 83.003 to read as follows:

Sec. 83.002. EFFECT OF CRIMINAL PROCEEDINGS ON LIABILITY.

A claimant may not recover damages for personal injury or death that results from a defendant's act constituting the use of force or deadly force if:

(1) a grand jury finds no bill of indictment for criminal charges based on the act;

(2) a court in a criminal proceeding orders a dismissal of criminal charges based on the act; or

(3) the defendant is acquitted of criminal charges based on the act.

Sec. 83.003. CLAIMANT'S LIABILITY FOR COURT COSTS AND ATTORNEY'S FEES. A claimant who is barred from recovery under this chapter is liable to the defendant for court costs and reasonable attorney's fees incurred in defending against the barred claim.

SECTION 2. The changes in law made by this Act apply only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action

1 immediately before the effective date of this Act and that law is
2 continued in effect for that purpose.

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