

By: Kolkhorst

S.B. No. 2755

A BILL TO BE ENTITLED

1 AN ACT

2 relating to damage liability for a collision with a motorist who
3 failed to establish financial responsibility.

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

5 SECTION 1. Chapter 72, Civil Practice and Remedies Code, is
6 amended by adding Subchapter C to read as follows:

7 SUBCHAPTER C. LIABILITY FOR COLLISION WITH CERTAIN MOTOR VEHICLE

9 Sec. 72.101. DEFINITIONS. In this subchapter:

18 (A) treatment and rehabilitation;

19 (B) medical expenses;

20 (C) loss of economic or educational potential;

21 (D) loss of productivity;

22 (E) absenteeism;

23 (F) support expenses;

(H) any other pecuniary loss proximately caused
by a motor vehicle collision.

3 Sec. 72.102. PROHIBITED RECOVERY OF CERTAIN DAMAGES. (a)

4 Except as provided by Section 72.103, an individual may not recover

5 damages for bodily injury, death, or property damage or noneconomic

6 damages sustained as a result of a motor vehicle collision for which

7 the individual failed to establish financial responsibility in

8 accordance with Chapter 601, Transportation Code.

14 Sec. 72.103. EXCEPTIONS. Section 72.102 does not apply to:

15 (1) an individual who:

1 was not established;

2 (B) was a minor under the age of 18; or

3 (C) was an active-duty member of the armed forces

4 of the United States who had returned from a deployment not more

5 than six months earlier; or

6 (3) damages caused by an individual who at the time of
7 the collision on which the action is based:

8 (A) was driving while under the influence of
9 alcohol or a controlled substance;

10 (B) caused the collision intentionally,
11 recklessly, or with gross negligence;

12 (C) improperly fled from the scene of the
13 collision; or

14 (D) was acting in furtherance of an offense or in
15 immediate flight from an offense that constitutes a felony.

16 SECTION 2. The limitation of liability for noneconomic
17 damages provided by Subchapter C, Chapter 72, Civil Practice and
18 Remedies Code, as added by this Act, is an exercise of authority
19 under Section 66(c), Article III, Texas Constitution, and takes
20 effect only if this Act receives a vote of three-fifths of all the
21 members elected to each house, as provided by Subsection (e) of that
22 section.

23 SECTION 3. Subchapter C, Chapter 72, Civil Practice and
24 Remedies Code, as added by this Act, applies only to a cause of
25 action that accrues on or after the effective date of this Act.

26 SECTION 4. This Act takes effect September 1, 2025.