

By: Guillen

H. B. No. 1450

A BILL TO BE ENTITLED

1 AN ACT

2 relating to Parks and Wildlife Department tort liability relating
3 to a volunteer's operation of a department vehicle.

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

5 SECTION 1. Section 11.028, Parks and Wildlife Code, is
6 amended by adding Subsection (f) to read as follows:

7 (f) A volunteer acting under the direction of the department
8 is considered an employee of the department for purposes of Section
9 101.021(1), Civil Practice and Remedies Code. This subsection does
10 not entitle the volunteer to compensation or any other benefit of
11 state employment.

12 SECTION 2. The change in law made by this Act to Section
13 11.028, Parks and Wildlife Code, applies to an act or omission
14 involving the operation of a motor-driven vehicle occurring on or
15 after the effective date of this Act. An act or omission involving
16 the operation of a motor-driven vehicle that occurs before the
17 effective date of this Act is governed by the law in effect at the
18 time the act or omission occurs, and that law is continued in effect
19 for that purpose.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2011.