

BILL ANALYSIS

C.S.H.B. 2069
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties believe that individuals who report suspicious activity to law enforcement in good faith are inadequately protected from civil liability relating to such a report. C.S.H.B. 2069 seeks to address this issue by establishing a limitation on civil suits against persons reporting suspicious activity in good faith.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2069 amends the Civil Practice and Remedies Code to prohibit a civil action related to a report of suspicious activity of another person to an appropriate law enforcement authority from being brought against the person who made the report if the person acted as a reasonable person would in the same or similar circumstances and with a reasonable belief that the suspicious activity constituted or was in furtherance of a crime, including an act of terrorism.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2069 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 128A to read as follows:

CHAPTER 128A. LIMITATION ON SUITS AGAINST CERTAIN PERSONS REPORTING SUSPICIOUS ACTIVITY

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 128A to read as follows:

CHAPTER 128A. LIMITATION ON SUITS AGAINST CERTAIN PERSONS REPORTING SUSPICIOUS ACTIVITY

85R 23234

17.102.923

Substitute Document Number: 85R 20288

Sec. 128A.001. LIMITATION ON CIVIL ACTION. A civil action related to a report of suspicious activity of another person to an appropriate law enforcement authority may not be brought against the person who made the report if the person made the report in good faith

with a reasonable belief that the suspicious activity constitutes or is in furtherance of a crime, including an act of terrorism.

SECTION 2. Section 128A.001, Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2017.

Sec. 128A.001. LIMITATION ON CIVIL ACTION. A civil action related to a report of suspicious activity of another person to an appropriate law enforcement authority may not be brought against the person who made the report if the person acted:

(1) as a reasonable person would in the same or similar circumstances; and

(2) with a reasonable belief that the suspicious activity constituted or was in furtherance of a crime, including an act of terrorism.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.