

## **BILL ANALYSIS**

Senate Research Center

H.B. 2879  
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Business & Commerce  
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Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current law requires an insurance policy covering an amusement ride to insure the owner or operator against liability for injury to persons in specified minimum limits. In practice, insurers do not write single limit policies and are reluctant to do so at the request of the Department of Insurance, thus impacting availability of coverage to amusement park ride owners/operators. H.B. 2879 permits amusement ride owners/operators to continue to purchase a split limit policy or a combined single limit policy without diminishing the amount of bodily injury coverage required by law.

H.B. 2879 assists with insurance availability in a limited market for owners and operators of amusement rides in Texas.

Current law includes challenge courses in the definition of amusement rides. H.B. 2879 exempts challenge courses from the current definition of amusement rides.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 2151, Occupations Code, by adding Section 2151.107, as follows:

Sec. 2151.107. EXCEPTION FOR CERTAIN CHALLENGE COURSE MEETING INSURANCE REQUIREMENT. Defines "challenge course." Provides that a challenge course or any part of a challenge course is not considered an amusement ride subject to regulation under this chapter under specific circumstances.

SECTION 2. Amends Section 2151.101(a), Occupations Code, as follows:

(3) Adds a provision that a person may not operate an amusement ride unless the person has a certain combined single limit or split limit insurance policy, rather than an insurance policy, currently in effect, as specified. Provides additional specifications for insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride in amounts as specified.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.