

BILL ANALYSIS

Senate Research Center
79R7706 MFC-F

S.B. 1224
By: Duncan
State Affairs
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law limits the liability of municipalities, counties, and the state with respect to certain recreational activities conducted on their land. The recreational activities protected by the law include: hockey and in-line hockey, in-line skating, roller-skating, skateboarding, and roller-blading.

As proposed, S.B. 1224 expands coverage of limited liability for outdoor recreational activities to include all governmental units. It also expands coverage of the statute for recreational activities to include bicycling, mountain biking, disc golf, and dog walking activities.

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 Sections 75.002(e), (f), and (g), Civil Practice and Remedies Code, as follows:

(e) Redefines "recreation."

(f) Provides that this section limits the liability of a governmental unit, rather than the state or a municipality or county, only for those damages arising directly from a recreational activity described in Subsection (e) but does not limit the liability of a governmental unit for gross negligence or acts conducted in bad faith or with malicious intent.

(g) Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.