

## **BILL ANALYSIS**

H.B. 2379  
By: Bohac  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties report that some police departments, firefighter departments, and first responder units around the state are reluctant to allow their employees to offer simple roadside assistance to motorists for fear of being sued if an incident occurs during the course of performing the assistance. These parties believe that a first responder who has the means and skills necessary to help a motorist should be able to do so without being liable for damages that may result from that assistance. H.B. 2379 seeks to address these concerns.

### **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**

H.B. 2379 amends the Civil Practice and Remedies Code to make a first responder, as defined by the bill, who in good faith provides roadside assistance not liable in civil damages for an act or omission that occurs while the first responder is providing roadside assistance unless the act or omission constitutes gross negligence, recklessness, or intentional misconduct.

### **EFFECTIVE DATE**

September 1, 2015.