

BILL ANALYSIS

Senate Research Center

H.B. 1180
By: Holzheuser (Armbrister)
State Affairs
5-9-97
Committee Report (Amended)

DIGEST

During the 73rd Legislature, the Natural Resources Code was amended to allow immunity from certain claims for Texas propane dealers. The amendment to the code dealt with damages caused solely by improper operation of a liquid petroleum gas system that the person installed or serviced in a residential, commercial, or public building. H.B. 1180 would provide that a person is not liable for damages caused solely by a malfunction or improper operation of a liquid petroleum gas system that the person installed or serviced in a motor vehicle.

PURPOSE

As proposed, H.B. 1180 provides that a person is not liable for damages solely by a malfunction or improper operation of a liquified petroleum gas system that the person installed or serviced in a residential, commercial, or public building, or in a motor vehicle under certain conditions.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 113.301, Natural Resources Code, to provide that a person is not liable for damages caused solely by a malfunction or improper operation of an LPG system that the person installed or serviced in a residential, commercial, or public building, or in a motor vehicle if, in addition to other conditions, the person adequately warned of a dangerous condition which was a producing cause of harm. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 1, line 21, add: "(6) the person adequately warned of a dangerous condition which was a producing cause of harm." Makes conforming changes.