

BILL ANALYSIS

Senate Research Center

S.B. 1104
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State Affairs
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As Filed

DIGEST

Currently, ice skating rinks are at risk of lawsuits filed by customers. S.B. 1104 would limit the number of lawsuits brought against ice skating rinks by clarifying which types of lawsuits may be filed against ice skating rinks.

PURPOSE

As proposed, S.B. 1104 outlines provisions regarding the operation of ice skating centers.

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 Title 9A, Health and Safety Code, by adding Chapter 760, as follows:

CHAPTER 760. ICE SKATING CENTERS

Sec. 760.001. DEFINITIONS. Defines "ice skating center," "operator," and "spectator."

Sec. 760.002. DUTIES OF OPERATOR. Sets forth required duties of the operator of an ice skating center.

Sec. 760.003. DUTIES OF ICE SKATERS. Sets forth required duties of an ice skater. Prohibits an ice skater from acting in a manner that may cause injury to others.

Sec. 760.004. DUTY OF SPECTATOR. Requires a spectator to comply with each posted sign or warning that relates to the behavior of the spectator in the ice skating center.

Sec. 760.005. DUTY OF CHILD. Provides that in determining whether the conduct of a child violates Section 760.003 or 760.004, the conduct shall be evaluated based on the child's experience, intelligence, capacity, and age.

Sec. 760.006. LIABILITY. Provides that an operator is not liable for damages for personal injury, property damage, or death unless the personal injury, property damage, or death is caused by a breach of the operator's duties prescribed by Section 760.002. Provides that Chapter 33, Civil Practice and Remedies Code, applies to an action brought against an operator.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.