

BILL ANALYSIS

Senate Research Center

S.B. 1479
By: Bivins
Economic Development
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As Filed

DIGEST

Currently, under Section 22.053, Education Code, volunteers in public education are immune from civil liability for discretionary acts undertaken in their volunteer capacity as long as such acts do not involve intentional misconduct or gross negligence. This bill would afford similar civil immunity protections for volunteers in institutions of higher education.

PURPOSE

As proposed, S.B. 1479 sets forth civil immunity from liability for volunteers in institutions of higher education.

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 Chapter 51Z, Education Code, by adding Section 51.937, as follows:

Sec. 51.937. IMMUNITY FROM LIABILITY FOR VOLUNTEERS. Provides that a volunteer who is serving as a direct service volunteer for an institution of higher education is immune from civil liability for certain acts. Provides that Subsection (a) does not apply in circumstances in which a volunteer uses excessive force in the discipline of students or to negligence resulting in bodily injury to students. Provides that this section does not apply to the operation, use, or maintenance of a motor vehicle. Provides that this section does not limit the liability of a person for intentional misconduct or gross negligence. Defines "volunteer."

SECTION 2. Makes application of this Act prospective.

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