

BILL ANALYSIS

Senate Research Center

S.B. 1697
By: Ellis
Economic Development
4-16-97
Committee Report (Amended)

DIGEST

Currently, Texas municipalities are subject to lawsuits, with limited liability, for damages arising from governmental functions. The list of governmental functions does not include community development activity. This bill adds community development activity to the list of governmental functions for which liability is limited by the Tort Claims Act.

PURPOSE

As proposed, S.B. 1697 adds community development activity to the list of governmental functions for which liability is limited by the Tort Claims Act.

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 101.0215(a), Civil Practice and Remedies Code, to provide that a municipality is liable for damages from its governmental functions, including community development activities undertaken by a municipality pursuant to Chapter 373, Local Government Code. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 2, line 27, amends SECTION 1, Section 101.0215(a)(34), Civil Practice and Remedies Code, by striking "activity" and substituting "activities undertaken by a municipality pursuant to Chapter 373, Local Government Code."