

## **BILL ANALYSIS**

Senate Research Center  
76R6792 DB-F

S.B. 1893  
By: Jackson  
Intergovernmental Relations  
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As Filed

### **DIGEST**

Currently, a conflict exists in state and federal law regarding the classification of juvenile board members and employees in matters of civil liability. Federal law designates juvenile board employees as county employees; however, Texas law designates these same employees as employees of the state, for all civil liability except for liability in the state Labor Code. S.B. 1893 would eliminate this discrepancy and designate juvenile board employees, in Galveston County, as state employees and the responsibility of the state for liability, indemnification, and defense in all matters of civil liability.

### **PURPOSE**

As proposed, S.B. 1893 designates juvenile board employees in Galveston County as state employees.

### **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 152D, Human Resources Code, by adding Section 152.0904, as follows:

Sec. 152.0904. LIABILITY; INDEMNIFICATION AND DEFENSE BY STATE. Provides that a member of the juvenile board of Galveston County is a member of a governing board of a state agency for purposes of Chapter 104, Civil Practice and Remedies Code; a complaint or civil action brought in accordance with Chapter 21, Labor Code; or a complaint or civil action filed to enforce a right guaranteed by the United States Constitution or federal law. Provides that an employee of the juvenile board of Galveston County is a state employee for purposes of a complaint or civil action brought in accordance with Chapter 21, Labor Code, or a complaint or civil action filed to enforce a right guaranteed by the United States Constitution or federal law.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.