

BILL ANALYSIS

Senate Research Center
77R6668 SGA-D

H.B. 2179
By: Hochberg (Armbrister)
Criminal Justice
5/2/2001
Engrossed

DIGEST AND PURPOSE

Currently, the Texas Department of Criminal Justice, the Texas Youth Commission, and the Texas Juvenile Probation Commission contract the services of chaplains or spiritual advisors to provide for the religious needs of criminal offenders. There have been cases in which chaplains or spiritual advisors have been named in lawsuits because of their involvement with the particular agencies for which their services are contracted. H.B. 2179 requires the state to indemnify a chaplain or spiritual advisor who has contracted to perform services for an agency in a cause of action based on conduct from which damages arise out of certain acts or omissions.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 104.001, Civil Practice and Remedies Code, to require the state, in a cause of action based on conduct described in Section 104.002, to indemnify certain persons, including a chaplain or spiritual advisor who was performing services under contract with the Texas Department of Criminal Justice, the Texas Youth Commission, or the Texas Juvenile Probation Commission when the act or omission on which the damages are based occurred, without regard to certain matters, for actual damages, court costs, and attorney's fees adjudged against such persons.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2001.