

BILL ANALYSIS

Senate Research Center
77R3471 DAK-F

H.B. 560
By: Keffer (Haywood)
Jurisprudence
5/8/2001
Engrossed

DIGEST AND PURPOSE

Individuals making the transition from public assistance to the workforce often have difficulties finding transportation to and from work, training, and child care, especially in rural areas without public transportation. Many churches and charitable organizations are willing to provide these services, but are hindered by the liability that may be incurred. H.B. 560 limits the liability of a charitable religious organization in the practice of certain transportation services.

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 Chapter 84, Civil Practice and Remedies Code, by adding Section 84.0061, as follows:

Sec. 84.0061. ORGANIZATIONAL LIABILITY FOR TRANSPORTATION SERVICES PROVIDED TO CERTAIN WELFARE RECIPIENTS. (a) Defines “religious charitable organization.”

(b) Provides that subject to Subsection (e), a religious charitable organization that owns or leases a motor vehicle is not liable for damages arising from the negligent use of the vehicle by a person to whom the organization has entrusted the vehicle to provide transportation services during the provision of those services described by Subsection (c) to certain persons.

(c) Provides that transportation services include transportation to and from the location of the work, employment, or any training activity or program or provider of any child care services necessary for a person described by Subsection (b)(1) to participate in the work, employment, or training activity or program.

(d) Provides that except as expressly provided in Subsection (b), this section does not limit, or in any way affect or diminish, other legal duties or causes of action arising from the use of a motor vehicle, including the condition of the vehicle itself and causes of action arising under Chapter 41.

(e) Provides that this section does not apply to any claim arising from injury, death, or property damage in which the operator of the vehicle was intoxicated, as the term is defined in Section 49.01 (Definitions), Penal Code.

SECTION 2. Effective date: upon passage or September 1, 2001.
Makes application of this Act prospective.