

BILL ANALYSIS

Senate Research Center
80R12637 KFF-F

H.B. 2117
By: Parker et al. (Harris)
State Affairs
5/16/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law states that a person who in good faith provides emergency care is not liable in civil damages for an act performed during the emergency unless the act is wilfully or wantonly negligent. This statute is not clear as to whether volunteer emergency services personnel, who are often the first responders to medical emergency situations, would be protected in the same way.

H.B. 2117 provides that a person who administers emergency care using an automated external defibrillator or as a volunteer is not liable in civil damages.

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 74.151(a), Civil Practice and Remedies Code, to include a person who administers emergency care using an automated external defibrillator or administers emergency care as a volunteer who is a first responder as defined under Section 421.095 (Definitions), Government Code, as not being liable in civil damages for the person's good faith act to administer emergency care during the emergency unless the act is willfully or wantonly negligent. Makes a conforming change.

SECTION 2. Provides that the purpose of this Act is to clarify rather than change existing law.

SECTION 3. Effective date: upon passage or September 1, 2007.