

By: Fallon

H.B. No. 250

A BILL TO BE ENTITLED

AN ACT

relating to civil liability for injury of a protestor by the operator of a motor vehicle.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 72A to read as follows:

CHAPTER 72A. LIABILITY ARISING FROM OPERATION OF MOTOR VEHICLE

Sec. 72A.001. INJURY TO PROTESTOR. (a) A person operating a motor vehicle who injures another person with the motor vehicle is not liable for the injury if, at the time of the injury:

(1) the person operating the motor vehicle was exercising due care; and

(2) the person injured was blocking traffic in a public right-of-way while participating in a protest or demonstration.

(b) This section does not affect a person's liability for an injury caused by grossly negligent conduct.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect on the 91st day after the last day of the
2 legislative session.