

## **BILL ANALYSIS**

Senate Research Center  
78R8086 DAK-D

S.B. 1203  
By: Lindsay  
State Affairs  
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As Filed

### **DIGEST AND PURPOSE**

Current law waives sovereign immunity for governmental units of the state and establishes liability caps for local governmental entities and municipalities in civil suits, including suits related to emergency medical service (EMS) provision. Many local governmental entities contract with a third party for EMS services. Those providers do not have any civil liability protection even when they are providing the services on behalf of a public entity that receives liability protection. As proposed, S.B. 1203 provides civil liability protection for an EMS provider contracting with a county or municipality for EMS 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 Section 101.001, Civil Practice and Remedies Code, by amending Subdivision (3) and adding Subdivision (7), as follows:

- (3) Redefines “governmental unit” to include an emergency services provider.
- (7) Defines “emergency services provider.”

SECTION 2. Amends Section 101.023(d), Civil Practice and Remedies Code, to limit, except as provided by Section 773.009 (Limitation on Civil Liability), Health and Safety Code, and Section 78.001 (Liability), the liability of an emergency services provider under this chapter to certain amounts.

SECTION 3. Amends Section 101.062, Civil Practice and Remedies Code, by adding Subsection (c) to provide that an emergency services provider is immune from civil liability to the same extent that the public agency on behalf of which the emergency services provider acts would be immune under this section.

SECTION 4. Effective date: September 1, 2003.  
Makes application of this Act prospective.