

BILL ANALYSIS

Senate Research Center
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S.B. 1550
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute is not clear regarding whether a landowner is liable for actions of law enforcement officers allowed onto the landowner's property. Currently, law enforcement officers must ask the permission of the landowner to investigate or patrol on the property. This puts landowners in a precarious situation where they want to assist law enforcement in their work but are wary of liability concerns arising from the actions of the officer.

As proposed, S.B. 1550 clarifies that a landowner is not liable for damages caused by the acts or omissions of a peace officer on a landowner's property.

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 75, Civil Practice and Remedies Code, by adding Section 75.005, as follows:

Sec. 75.005. LIABILITY LIMITED FOR ACTIONS OF PEACE OFFICER. Provides that a landowner is not liable for damages arising from an act or omission of a peace officer, as defined by Article 2.12 (Who Are Peace Officers), Code of Criminal Procedure, who has entered the landowner's property with or without the permission of the landowner.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.