

Both SB 1651 and HB 2241

81R8815 KSD-D By: Duncan S.B. No. 1651 & Chavez H.B. No. 2241

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

SECTION 1. Section 104.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 104.001. STATE LIABILITY; PERSONS COVERED. In a cause of action based on conduct described in Section 104.002, the state shall indemnify the following persons, without regard to whether the persons performed their services for compensation, for actual damages, court costs, and attorney's fees adjudged against:

(1) an employee, a member of the governing board, or any other officer of a state agency, institution, or department;

(2) a former employee, former member of the governing board, or any other former officer of a state agency, institution, or department who was an employee or officer when the act or omission on which the damages are based occurred;

(3) a physician or psychiatrist licensed in this state who was performing services under a contract with any state agency, institution, or department or a racing official performing services under a contract with the Texas Racing Commission when the act or omission on which the damages are based occurred;

(3-a) a phlebotomist licensed in this state who was performing services under a contract with the Texas Department of Criminal Justice when the act or omission on which the damages are based occurred;

(4) a **chaplain** or spiritual advisor who was performing services under contract with the Texas Department of Criminal Justice, the Texas Youth Commission, or the Texas Juvenile Probation Commission when the act or omission on which the damages are based occurred;

Both HB 3545 and SB 1969

81R721 CAS-D By: West S.B. No. 1969 & Leibowitz H.B. No. 3545

Sec. 615.003. APPLICABILITY. This chapter applies only to eligible survivors of the following individuals:

(1) an individual elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in Section 76.002 and the qualifications set out in Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the ~~[pardons and parole division of the]~~ Texas Department of Criminal Justice who has the duties set out in Section 508.001 and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the ~~correctional institutions [institutional] division [or the state jail division of the Texas Department of Criminal Justice]~~ formally designated as custodial personnel under Section 615.006 by the Texas Board of Criminal Justice or its predecessor in function;

(7) a jailer or guard of a county jail who is appointed by the sheriff and who:

(A) performs a security, custodial, or supervisory function over the admittance, confinement, or discharge of prisoners; and

(B) is certified by the Commission on Law Enforcement Officer Standards and Education;

(8) a juvenile correctional employee of the Texas

Youth Commission;

(9) an employee of the Department of Aging and Disability Services or Department of State Health Services [~~Texas Department of Mental Health and Mental Retardation~~] who:

(A) works at the department's maximum security unit; or

(B) performs on-site services for the Texas Department of Criminal Justice;

(10) an individual who is employed by the state or a political or legal subdivision and is subject to certification by the Texas Commission on Fire Protection;

(11) an individual employed by the state or a political or legal subdivision whose principal duties are aircraft crash and rescue fire fighting;

(12) a member of an organized volunteer fire-fighting unit that:

(A) renders fire-fighting services without remuneration; and

(B) conducts a minimum of two drills each month, each two hours long;

(13) an individual who:

(A) performs emergency medical services or operates an ambulance;

(B) is employed by a political subdivision of the state or is an emergency medical services volunteer as defined by Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant or at a higher level of training under Section 773.046, 773.047, 773.048, 773.049, or 773.0495, Health and Safety Code; or

(14) an individual who is employed or formally designated as a **chaplain** for:

(A) an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state;

(B) a law enforcement agency of this state or of a political subdivision of this state; or

(C) the Texas Department of Criminal Justice.

SECTION 25.076. Section 615.121(a), Government Code, is amended to read as follows:

(a) The state shall pay the following benefits to an eligible surviving spouse of a peace officer or an employee of the [~~institutional division or state jail division of the~~] Texas Department of Criminal Justice, as described

Both SB 1020 and HB 3689

81R4916 KCR-D By: Hinojosa, Hegar S.B. 1020 & McClendon H.B. 3689

[Bill abolishing TYC and transferring powers to Texas Juvenile Justice Department]

Sec. 242.065 [~~DELETED PORTIONS~~]

[~~Sec. 61.046~~]. RELIGIOUS TRAINING. The department [~~commission~~] shall provide for the religious and spiritual training of children in its custody according to the children's individual choices.

Sec. 242.066 [~~61.0461~~]. EMPLOYMENT OR DESIGNATION OF **CHAPLAIN** AT CERTAIN DEPARTMENT [~~COMMISSION~~] FACILITIES. The department [~~commission~~] shall ensure that a **chaplain** is employed or formally designated for each department [~~commission~~] correctional facility that is an institution.

Sec. 242.067 [~~61.047~~]. VIOLENCE PREVENTION