

CHAPTER 1000

H.B. No. 984

AN ACT

relating to the authority of certain state agencies to purchase liability insurance.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1, Chapter 797, Acts of the 61st Legislature, Regular Session, 1969 (Article 6252-19a, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. (a) The State Departments or Agencies who own and operate motor vehicles, aircraft and motorboats or watercraft of all types and sizes shall have the authority to insure their officers and employees from liability arising out of the use, operation and maintenance of such automobiles, trucks, tractors, power equipment, aircraft and motorboats or watercraft used or which may be used in the operation of such Department or Agency. Such insurance shall be provided by the purchase of a policy or policies for that purpose from some liability insurance company or companies authorized to transact business in the State of Texas. All liability insurance so purchased shall be provided on a policy form or forms approved by the State Board of Insurance as to form and by the Attorney General as to liability.

(b) The State Departments and Agencies who receive federal grant funds for a foster grandparent program shall also have the authority to expend those funds to insure the person and property of those foster grandparents as required by the grant.

(c) The State Departments and Agencies that operate integrated day-care programs that serve children with mental illness, children with developmental disabilities, or children who participate in early childhood intervention programs, as well as other children, may purchase insurance to cover liability arising from the operation of the integrated day-care program.

(d) *The State Departments and Agencies that operate habilitative and rehabilitative work programs for persons who are mentally ill or developmentally disabled may purchase insurance from the proceeds of those programs to cover liability arising out of the operation of those programs if the contractor will not accept as sufficient the state's indemnification provisions.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 4, 1993, by a non-record vote; passed by the Senate on May 26, 1993: Yeas 30, Nays 0.

Approved June 19, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.