

1 involving the same subject matter by the claimant against the
2 department employees whose act or omission gave rise to the claim.

3 (e) The department may insure the officers and employees of
4 the department for liability arising from a claim described by
5 Subsection (a). Coverage under this subsection [~~section~~] must be
6 provided by the purchase of a policy of liability insurance from a
7 reliable insurance company authorized to do business in this state.
8 The form of the policy must be approved by the commissioner of
9 insurance, and the coverage must be approved by the attorney
10 general.

11 (f) [~~(e)~~] This section is not a waiver of immunity of the
12 state from liability for the torts or negligence of an officer or
13 employé of this state.

14 (g) [~~(d)~~] In this section, "equipment" includes an
15 automobile, motor truck, trailer, aircraft, motor grader, roller,
16 tractor, tractor power mower, and other power equipment.

17 SECTION 2. (a) This Act takes effect immediately if it
18 receives a vote of two-thirds of all the members elected to each
19 house, as provided by Section 39, Article III, Texas Constitution.
20 If this Act does not receive the vote necessary for immediate
21 effect, this Act takes effect September 1, 2003.

22 (b) This Act applies only to a cause of action that accrues
23 on or after the effective date of this Act. A cause of action that
24 accrues before the effective date of this Act is governed by the law
25 in effect immediately before the effective date of this Act, and the
26 former law is continued in effect for that purpose.

David Newhall

President of the Senate

Tom Caddell

Speaker of the House

I hereby certify that S.B. No. 724 passed the Senate on March 27, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 724 passed the House on May 1, 2003, by the following vote: Yeas 144, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

15 MAY '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45 pm O'CLOCK

MAY 15 2003
Amy Shea
Secretary of State