

TEX CR. CODE ANN. § 42.20: Texas Statutes - Article 42.20: IMMUNITIES

(a) An individual listed in Subsection (c) of this article and the governmental entity that the individual serves as an officer or employee are not liable for damages arising from an act or failure to act by the individual or governmental entity in connection with a community service program or work program established under this chapter or in connection with an inmate, offender, or releasee programmatic or nonprogrammatic activity, including work, educational, and treatment activities, if the act or failure to act:

- (1) was performed pursuant to a court order or was otherwise performed in an official capacity; and**
- (2) was not performed with conscious indifference for the safety of others.**

(b) Chapter 101, Civil Practice and Remedies Code, does not apply to a claim based on an act or a failure to act of an individual listed in Subsection (c) of this article or a governmental entity the officer serves as an officer or employee if the act or failure to act is in connection with a program described by Subsection (a) of this article.

(c) This article applies to:

- (1) a director or employee of a community supervision and corrections department or a community corrections facility;**
- (2) a sheriff or employee of a sheriff's department;**
- (3) a county judge, county attorney, county commissioner, or county employee;**
- (4) a district judge, district attorney, or criminal district attorney;**
- (5) an officer or employee of a state agency; or**
- (6) an officer or employee of a political subdivision other than a county.**

Added by Acts 1993, 73rd Leg., ch. 900, Sec. 5.03, eff. Sept. 1, 1993. Subsec. (a) amended by Acts 1995, 74th Leg., ch. 76, Sec. 3.13, eff. Sept. 1, 1995; Subsec. (c) amended by Acts 2003, 78th Leg., ch. 406, Sec. 1, eff. Sept. 1, 2003.