

HOUSE RESEARCH

Bill Summary

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Subject: Civil immunity for agritourism professionals

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Overview

This bill provides civil lawsuit immunity for agritourism professionals due to the inherent risks of agritourism activities such as farming, ranching, winemaking, farm-stays, and harvest-your-own events held on a farm or ranch. Immunity would be provided whether the activities are for-profit or for charitable or educational purposes.

Section

1 **Agritourism; immunity from liability.** Defines key terms and provides civil lawsuit immunity for agritourism professionals. An agritourism professional would not be liable for injury, damage, or death of a participant resulting from the inherent danger of farming, ranching, winemaking, and other agritourism activities. Immunity is provided whether the participant pays to participate in the agritourism activity or not.

However, an agritourism professional would not be immune from lawsuits stemming from (1) the professional's negligence or willful or wanton disregard for the participant's safety, (2) the professional's failure to warn the participant about dangerous conditions or the dangerous propensity of a particular animal, (3) a professional intentionally injuring a participant, or (4) the professional failing to post a sign warning participants of the inherent risks of agritourism.

Effective date: This bill would be effective on August 1, 2015, and applies to actions arising from incidents occurring on or after that date.