

BILL ANALYSIS

Senate Research Center
78R2174 KCR-D

H.B. 408
By: Miller (Fraser)
State Affairs
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Engrossed

DIGEST AND PURPOSE

Current law provides liability protection for landowners who lease land to other people for recreational purposes such as hunting and fishing. The law places a cap on the amount of compensation that a landowner may receive for use of the land and still have the protection from liability. H.B. 408 raises the cap to allow more landowners to have liability protection.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 75.003(c), Civil Practice and Remedies Code, to provide that this chapter applies only to an owner, lessee, or occupant of real property who fulfills one of three criteria, including charging for entry to the premises, but whose total charges collected in the previous calendar year for all recreational use of the entire premises of the owner, lessee, or occupant are not more than 20 times the total amount of ad valorem taxes imposed on the premises for the previous calendar year. Deletes provisions relating to twice and four times the total amount of ad valorem taxes.

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.