

By: Miller

H.B. No. 408

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the liability of landowners for certain uses of their
3 land.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 75.003(c), Civil Practice and Remedies
6 Code, is amended to read as follows:

7 (c) Except for a governmental unit, this chapter applies
8 only to an owner, lessee, or occupant of real property who:

9 (1) does not charge for entry to the premises;

10 (2) charges for entry to the premises, but whose total
11 charges collected in the previous calendar year for all
12 recreational use of the entire premises of the owner, lessee, or
13 occupant are not more than 20[+

14 [~~(A) twice the total amount of ad valorem taxes~~
15 ~~imposed on the premises for the previous calendar year; or~~

16 [~~(B) four~~] times the total amount of ad valorem
17 taxes imposed on the premises for the previous calendar year[~~, in~~
18 ~~the case of agricultural land~~]; or

19 (3) has liability insurance coverage in effect on an
20 act or omission described by Section 75.004(a) and in the amounts
21 equal to or greater than those provided by that section.

22 SECTION 2. This Act takes effect September 1, 2003, and
23 applies only to a cause of action that accrues on or after that
24 date. An action that accrued before the effective date of this Act

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1 is governed by the law applicable to the action immediately before
2 the effective date of this Act, and that law is continued in effect
3 for that purpose.