

1-1 By: Miller (Senate Sponsor - Fraser) H.B. No. 408  
1-2 (In the Senate - Received from the House April 25, 2003;  
1-3 April 29, 2003, read first time and referred to Committee on State  
1-4 Affairs; May 23, 2003, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the liability of landowners for certain uses of their  
1-9 land.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 75.003(c), Civil Practice and Remedies  
1-12 Code, is amended to read as follows:

1-13 (c) Except for a governmental unit, this chapter applies  
1-14 only to an owner, lessee, or occupant of real property who:

1-15 (1) does not charge for entry to the premises;

1-16 (2) charges for entry to the premises, but whose total  
1-17 charges collected in the previous calendar year for all  
1-18 recreational use of the entire premises of the owner, lessee, or  
1-19 occupant are not more than 20[+]

1-20 [~~(A) twice the total amount of ad valorem taxes~~  
1-21 ~~imposed on the premises for the previous calendar year; or~~

1-22 [~~(B) four~~] times the total amount of ad valorem  
1-23 taxes imposed on the premises for the previous calendar year[~~, in~~  
1-24 ~~the case of agricultural land~~]; or

1-25 (3) has liability insurance coverage in effect on an  
1-26 act or omission described by Section 75.004(a) and in the amounts  
1-27 equal to or greater than those provided by that section.

1-28 SECTION 2. This Act takes effect September 1, 2003, and  
1-29 applies only to a cause of action that accrues on or after that  
1-30 date. An action that accrued before the effective date of this Act  
1-31 is governed by the law applicable to the action immediately before  
1-32 the effective date of this Act, and that law is continued in effect  
1-33 for that purpose.

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