

By: Geren

H.B. No. 3467

A BILL TO BE ENTITLED

AN ACT

relating to liability of sponsors of and participants in certain activities involving animals.

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

SECTION 1. Section 87.005, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 87.005. WARNING NOTICE. (a) An equine professional shall post and maintain a sign that contains the warning contained in Subsection (c) if the professional manages or controls a stable, corral, or arena where the professional conducts an equine activity. The professional must post the sign in a clearly visible location on or near the stable, corral, or arena.

(b) An equine professional shall include the warning contained in Subsection (c) in every written contract that the professional enters into with a participant for professional services, instruction, or the rental of equipment or tack or an equine animal. The warning must be included without regard to whether the contract involves equine activities on or off the location or site of the business of the equine professional. The warning must be clearly readable.

(c) The warning posted by an equine professional under this section must be ~~[as follows]~~ one of the following:

WARNING

UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), AN

1 EQUINE PROFESSIONAL IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A  
2 PARTICIPANT IN EQUINE ACTIVITIES RESULTING FROM THE INHERENT RISKS  
3 OF EQUINE ACTIVITIES.

4 ~~[WARNING]~~

5 ;or

6 WARNING

7 UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), AN  
8 EQUINE PROFESSIONAL / LIVESTOCK SHOW SPONSOR IS NOT LIABLE FOR AN  
9 INJURY TO OR THE DEATH OF A PARTICIPANT IN EQUINE / LIVESTOCK SHOW  
10 ACTIVITIES RESULTING FROM THE INHERENT RISKS OF EQUINE / LIVESTOCK  
11 SHOW ACTIVITIES.

12 (d) A livestock show sponsor shall post and maintain a sign  
13 that contains the warning prescribed by Subsection (f) if the  
14 livestock show sponsor manages or controls a stable, barn, corral,  
15 or arena at which the livestock show sponsor conducts a livestock  
16 show. The livestock show sponsor must post the sign in a clearly  
17 visible location near the stable, barn, corral, or arena.

18 (e) A livestock show sponsor shall include the warning  
19 prescribed by Subsection (f) in every written contract that the  
20 sponsor enters into with a livestock show participant. The warning  
21 must be clearly readable.

22 (f) The warning posted by a livestock show sponsor under  
23 this section must be ~~[as follows]~~ one of the following:

24 WARNING

25 UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), A  
26 LIVESTOCK SHOW SPONSOR IS NOT LIABLE FOR AN INJURY TO OR THE DEATH  
27 OF A PARTICIPANT IN A LIVESTOCK SHOW RESULTING FROM THE INHERENT

1 RISKS OF LIVESTOCK SHOW ACTIVITIES.

2 ;or

3 WARNING

4 UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), AN  
5 EQUINE PROFESSIONAL / LIVESTOCK SHOW SPONSOR IS NOT LIABLE FOR AN  
6 INJURY TO OR THE DEATH OF A PARTICIPANT IN EQUINE / LIVESTOCK SHOW  
7 ACTIVITIES RESULTING FROM THE INHERENT RISKS OF EQUINE / LIVESTOCK  
8 SHOW ACTIVITIES.

9 SECTION 2. This Act takes effect September 1, 2003.