

By: Casteel

H.B. No. 325

A BILL TO BE ENTITLED

AN ACT

relating to duties of a landowner with respect to certain equine activities on the owner's land.

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

SECTION 1. Chapter 87, Civil Practice and Remedies Code, is amended by adding Section 87.006 to read as follows:

Sec. 87.006. LANDOWNER DUTY WITH RESPECT TO CERTAIN EQUINE ACTIVITIES. (a) Except as provided by Subsection (b), an owner or possessor of land does not have a duty to warn a person who comes onto the land for the purpose of riding an equine animal or a conveyance drawn by an equine animal of hazardous conditions on the land, uses of structures on the land, or activities on the land.

(b) An owner or possessor of land who gives permission to a person to come onto the land for a purpose described by Subsection (a) has a duty to not wilfully or maliciously fail to guard or warn against a hazardous condition of the land.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.