

BILL ANALYSIS

H.B. 1183
By: Otto
Civil Practices
Committee Report (Amended)

BACKGROUND AND PURPOSE

Currently, the Civil Practices and Remedies Code, Section 75, deals with limitations of landowners' liability for certain activities which take place on their land. Specifically, Section 75.001(3) defines the word "recreation" and lists such activities.

HB 1183 as amended adds a new activity to the list - radio control flying and related activities. The purpose of this legislation is to allow landowners the ability to have such radio control and flying activities on their land with the benefits of limited liability.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Adds a new item, (P) "radio control flying and related activities," to the list of recreational activities given limited liability protection defined in Section 75.001(3) of the Civil Practice and Remedies Code.

SECTION 2. States that changes made to this Act apply only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. Specifies the effective date for this bill.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

EXPLANATION OF AMENDMENTS

The amendment adds Subsection (i) to Section 75.002 of the Civil Practice and Remedies Code which provides that liability of an owner, lessee, or occupant of real property will not be affected by radio control flying and related activities, Section 75.001(3)(P), occurring outside the boundaries of the real property.