

AN ACT

relating to liability of landowners who allow their land to be used for radio control flying and related activities.

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

SECTION 1. Section 75.001(3), Civil Practice and Remedies Code, is amended to read as follows:

(3) "Recreation" means an activity such as:

- (A) hunting;
- (B) fishing;
- (C) swimming;
- (D) boating;
- (E) camping;
- (F) picnicking;
- (G) hiking;
- (H) pleasure driving, including off-road motorcycling and off-road automobile driving and the use of all-terrain vehicles;
- (I) nature study, including bird-watching;
- (J) cave exploration;
- (K) waterskiing and other water sports;
- (L) any other activity associated with enjoying nature or the outdoors;
- (M) bicycling and mountain biking;
- (N) disc golf; [~~ex~~]

- 1                   (O) on-leash and off-leash walking of dogs; or  
2                   (P) radio control flying and related activities.

3           SECTION 2. Section 75.002, Civil Practice and Remedies  
4 Code, is amended by adding Subsection (i) to read as follows:

5           (i) Subsections (b) and (c) do not affect any liability of  
6 an owner, lessee, or occupant of real property for an injury  
7 occurring outside the boundaries of the real property caused by an  
8 activity described by Section 75.001(3)(P) that originates within  
9 the boundaries of the real property.

10          SECTION 3. The change in law made by this Act applies only  
11 to a cause of action that accrues on or after the effective date of  
12 this Act. A cause of action that accrues before the effective date  
13 of this Act is governed by the law in effect immediately before the  
14 effective date of this Act, and that law is continued in effect for  
15 that purpose.

16          SECTION 4. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1183 was passed by the House on April 30, 2007, by the following vote: Yeas 137, Nays 3, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1183 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor