By: Otto

H.B. No. 1183

A BILL TO BE ENTITLED 1 AN ACT relating to liability of landowners who allow their land to be used 2 3 for radio control flying and related activities. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 SECTION 1. Section 75.001(3), Civil Practice and Remedies 5 Code, is amended to read as follows: 6 7 "Recreation" means an activity such as: (3) 8 (A) hunting; 9 (B) fishing; (C) swimming; 10 11 (D) boating; 12 (E) camping; 13 (F) picnicking; 14 (G) hiking; 15 (H) pleasure driving, including off-road motorcycling and off-road automobile driving and the use of 16 all-terrain vehicles; 17 18 (I) nature study, including bird-watching; (J) cave exploration; 19 20 (K) waterskiing and other water sports; 21 (L) any other activity associated with enjoying 22 nature or the outdoors; (M) bicycling and mountain biking; 23 24 disc golf; [or] (N)

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(0) on-leash and off-leash walking of dogs; or

(P) radio control flying and related activities.

3 SECTION 2. The change in law made by this Act applies only 4 to a cause of action that accrues on or after the effective date of 5 this Act. A cause of action that accrues before the effective date 6 of this Act is governed by the law in effect immediately before the 7 effective date of this Act, and that law is continued in effect for 8 that purpose.

9 SECTION 3. This Act takes effect immediately if it receives 10 a vote of two-thirds of all the members elected to each house, as 11 provided by Section 39, Article III, Texas Constitution. If this 12 Act does not receive the vote necessary for immediate effect, this 13 Act takes effect September 1, 2007.

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Miller

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 1183 by inserting the following appropriately numbered SECTION and renumbering existing SECTIONS of the bill accordingly:

5 SECTION ____. Section 75.002, Civil Practice and Remedies 6 Code, is amended by adding Subsection (i) to read as follows:

7 (i) Subsections (b) and (c) do not affect any liability of 8 an owner, lessee, or occupant of real property for an injury 9 occurring outside the boundaries of the real property caused by an 10 activity described by Section 75.001(3)(P) that originates within 11 the boundaries of the real property.

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