

By: Frullo, Workman, Anderson of McLennan,
Bohac, et al.

H.B. No. 750

Substitute the following for H.B. No. 750:

By: Sheets

C.S.H.B. No. 750

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a landowner's liability for certain aviation activities
3 on or above the owner's land.

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

5 SECTION 1. Section 75.001, Civil Practice and Remedies
6 Code, is amended by amending Subdivision (3) and adding Subdivision
7 (3-a) to read as follows:

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

- 9 (A) hunting;
10 (B) fishing;
11 (C) swimming;
12 (D) boating;
13 (E) camping;
14 (F) picnicking;
15 (G) hiking;
16 (H) pleasure driving, including off-road
17 motorcycling and off-road automobile driving and the use of
18 all-terrain vehicles;
19 (I) nature study, including bird-watching;
20 (J) cave exploration;
21 (K) waterskiing and other water sports;
22 (L) any other activity associated with enjoying
23 nature or the outdoors;
24 (M) bicycling and mountain biking;

- 1 (N) disc golf;
- 2 (O) on-leash and off-leash walking of dogs; [~~or~~]
- 3 (P) radio control flying and related activities;

4 or

5 (Q) recreational aviation activities occurring
6 on or above land:

7 (i) the owner, lessee, or occupant of which
8 is not a governmental unit;

9 (ii) that is not held open to the public for
10 recreational aviation activities by the owner, lessee, or occupant
11 of the land; and

12 (iii) for the use of which the owner,
13 lessee, or occupant of the land does not charge.

14 (3-a) "Recreational aviation activities" means the
15 recreational operation or use of an airplane or other aircraft,
16 including the taxiing, handling, taking off, parking, flying, or
17 landing of the airplane or other aircraft.

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

24 SECTION 3. This Act takes effect September 1, 2015.