By:  Perry S.B. No. 230

(In the Senate - Filed December 12, 2018; February 1, 2019, read first time and referred to Committee on State Affairs; March 6, 2019, reported favorably by the following vote: Yeas 9, Nays 0; March 6, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton       X

Fallon          X

Hall            X

Lucio           X

Nelson          X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to a landowner's liability for injuries incurred during certain recreational 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 and recreational off-highway 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;

(O)  on-leash and off-leash walking of dogs; [~~or~~]

(P)  radio control flying and related activities; or

(Q)  rock climbing.

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 accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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