

BILL ANALYSIS

Senate Research Center
77R12159 AJA-D

H.B. 2400
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5/8/2001
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DIGEST AND PURPOSE

Under current law, any person hosting or participating in a horse show or horse exhibition is protected from damages arising from the activity with certain exceptions. The purpose of the law is to expressly recognize that equine activity sponsors and participants understand and accept the inherent dangers of handling and working with equine animals. However, the law does not protect participants and sponsors of nonprofit or countywide livestock shows. For example, a county or nonprofit organization is protected from certain liability under the law if it hosts an equine event, but not if the organization hosts a livestock show that includes other types of animals. H.B. 2400 establishes liability provisions for livestock shows.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading of Chapter 87, Civil Practice and Remedies Code, to read as follows:

CHAPTER 87. LIABILITY ARISING FROM EQUINE ACTIVITIES OR LIVESTOCK SHOWS

SECTION 2. Amends Section 87.001, Civil Practice and Remedies Code, by amending Subdivision (6) and adding Subdivisions (7)-(9), to define "livestock animal," "livestock show," "livestock show sponsor," and to redefine "participant."

SECTION 3. Amends Section 87.003, Civil Practice and Remedies Code, to add references to livestock show participants, livestock show sponsors, and equine activities, and make conforming changes.

SECTION 4. Amends Section 87.004, Civil Practice and Remedies Code, to add language relating to injury or death as a result of an activity connected with the livestock show and makes conforming changes.

SECTION 5. Amends Section 87.005, Civil Practice and Remedies Code, by amending Subsection (c) and adding Subsections (d), (e), and (f), as follows:

(c) Makes a conforming change.

(d) Requires a livestock show sponsor to post and maintain a sign that contains the warning prescribed by Subsection (f) if the livestock show sponsor manages or controls a stable, barn, corral, or arena at which the livestock show sponsor conducts a livestock show. Requires the livestock show sponsor to post the sign in a clearly visible location near the stable, barn, corral, or arena.

(e) Requires a livestock show sponsor to include the warning prescribed by Subsection (f) in every written contract that the sponsor enters into with a livestock show participant. Requires the warning to be clearly readable.

(f) Requires the warning posted by a livestock show sponsor under this section to contain specific language.

SECTION 6. Effective date: September 1, 2001.