

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1152

By: Pope (Clay)

AS INTRODUCED

An Act relating to torts; creating the Oklahoma Livestock Activities Liability Limitation Act; providing for findings; defining terms; providing for liability; providing for exceptions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50.1 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Livestock Activities Liability Limitation Act".

B. The Oklahoma Legislature recognizes that persons who engage in livestock activities may incur injuries to their person or property as a result of the risks and dangers involved in such activities. The Oklahoma Legislature finds that, because a livestock activity is a known dangerous activity, the persons engaged in such activity knowingly and voluntarily expose themselves and consent to the nature and extent of the danger. The Oklahoma Legislature also finds that the state and its citizens derive numerous economic and personal benefits from livestock activities. It is, therefore, the intent of the Oklahoma Legislature to promote and encourage livestock activities by limiting the civil liability of persons involved in such activities.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50.2 of Title 76, unless there is created a duplication in numbering, reads as follows:

As used in the Oklahoma Livestock Activities Liability
Limitation Act:

1. "Engaged in livestock activity" means any person who either directly or indirectly is involved in a livestock activity, including but not limited to showing, managing, organizing, riding, training, breeding, treating, driving, leading, judging, teaching, inspecting, servicing and assisting any of the foregoing. The term includes racing but shall not mean regulated horse racing in Title 3A of the Oklahoma Statutes;

2. "Livestock" means any cattle, bison, hog, sheep, goat, equine, mule, donkey, including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group;

3. "Livestock activity" means any activity that involves livestock;

4. "Person" means an individual human being and includes governmental and municipal units, any form of business or nonbusiness entity, organization or association; and

5. "Spectator" means any person who places himself or herself in reasonable proximity to livestock or livestock activity and who is otherwise not engaged in such activity.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50.3 of Title 76, unless there is created a duplication in numbering, reads as follows:

Any person engaged in livestock activities, including spectators of such activities, shall assume all legal responsibility and shall not recover for any negligent injury, harm or damage to such person's own person or property, unless the injury, harm or damage was caused by the intentional acts of another person.

SECTION 4. This act shall become effective November 1, 1999.

47-1-5159 KSM 6/12/15