

1 ENGROSSED HOUSE
2 BILL NO. 1378

By: Walker, McMullen and Dorman
of the House

3 and

4 Schulz of the Senate
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6
7 An Act relating to torts; amending 76 O.S. 2001,
8 Section 50.2, which relates to the Oklahoma Livestock
9 Activities Liability Limitation Act; modifying
10 definitions; and providing an effective date.

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

13 SECTION 1. AMENDATORY 76 O.S. 2001, Section 50.2, is
14 amended to read as follows:

15 Section 50.2 As used in the Oklahoma Livestock Activities
16 Liability Limitation Act:

17 1. "Engages in a livestock activity" includes training, racing,
18 showing, riding, or assisting in medical treatment of, or driving
19 livestock, or engaging in any agritourism activity involving
20 livestock or on a location where livestock are displayed or raised,
21 and any person assisting a participant, livestock activity sponsor
22 or livestock professional. The term "engages in a livestock
23 activity" does not include being a spectator at a livestock
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1 activity, except in cases where the spectator places himself or
2 herself in immediate proximity to livestock activity;

3 2. "Agritourism activity" includes, but is not limited to, any
4 activity carried out on a farm or ranch that allows members of the
5 general public, for recreational, entertainment, or educational
6 purposes, to view or enjoy rural activities, including farming,
7 ranching, historic, cultural, harvest-your-own activities, or
8 natural activities and attractions. An activity is an agritourism
9 activity whether or not the participant pays to participate in the
10 activity;

11 3. "Livestock" means any cattle, bison, hog, sheep, goat,
12 equine livestock, including but not limited to animals of the
13 families bovidae, cervidae and antilocapridae or birds of the ratite
14 group;

15 ~~3~~ 4. "Livestock activity" includes but is not limited to:

- 16 a. livestock shows, fairs, livestock sales, competitions,
17 performances, or parades that involve any or all
18 breeds of livestock and any of the livestock
19 disciplines, including, but not limited to, rodeos,
20 auctions, driving, pulling, judging, cutting and
21 showing,
- 22 b. livestock training or teaching activities or both such
23 training and teaching activities,
- 24 c. boarding or pasturing livestock,

- 1 d. inspecting or evaluating livestock belonging to
2 another, whether or not the owner has received some
3 monetary consideration or other thing of value for the
4 use of the livestock or is permitting a prospective
5 purchaser of the livestock to inspect or evaluate the
6 livestock,
- 7 e. drives, rides, trips, hunts or other livestock
8 activities of any type however informal or impromptu
9 that are sponsored by a livestock activity sponsor,
10 ~~and~~
- 11 f. placing or replacing horseshoes on an equine, or
12 otherwise preparing livestock for show, and
- 13 g. agritourism activities involving the viewing of,
14 handling of, riding of, showing of, or other
15 interactive activities with livestock;

16 ~~4.~~ 5. "Livestock activity sponsor" means an individual, group,
17 club, partnership or corporation, whether or not the sponsor is
18 operating for profit or nonprofit, which sponsors, organizes, or
19 provides the facilities for, a livestock activity, including but not
20 limited to: livestock clubs, 4-H clubs, FFA chapters, school and
21 college-sponsored classes, programs and activities, therapeutic
22 riding programs, and operators, instructors, and promoters of
23 livestock facilities, including, but not limited to, barns, stables,
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1 clubhouses, ponyride strings, fairs and arenas at which the activity
2 is held;

3 ~~5.~~ 6. "Livestock professional" means a person engaged for
4 compensation in:

5 a. instructing a participant or renting to a participant
6 livestock for the purpose of engaging in livestock
7 activity, or

8 b. renting equipment or tack to a participant;

9 ~~6.~~ 7. "Inherent risks of livestock activities" means those
10 dangers or conditions which are an integral part of livestock
11 activities, including but not limited to:

12 a. the propensity of livestock to behave in ways that may
13 result in injury to persons on or around them,

14 b. the unpredictability of livestock's reaction to such
15 things as sounds, sudden movement and unfamiliar
16 objects, persons or other animals,

17 c. certain hazards such as surface and subsurface
18 conditions unknown to the livestock activity sponsor,

19 d. collisions with other livestock or objects, and

20 e. the potential of tack to become dislodged or move in
21 ways that may result in injury to persons on or around
22 livestock activities; and

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