

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1292

By: Wallace

AS INTRODUCED

An Act relating to agriculture; amending Section 2, Chapter 27, O.S.L. 2013 (2 O.S. Supp. 2016, Section 5-15), which relates to the Oklahoma Agritourism Activities Liability Limitations Act; eliminating requirement that agritourism professionals register with the Oklahoma Department of Agriculture, Food, and Forestry; and providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 27, O.S.L. 2013 (2 O.S. Supp. 2016, Section 5-15), is amended to read as follows:

Section 5-15. As used in the Oklahoma Agritourism Activities Liability Limitations Act:

1. "Agritourism activity" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity;

1 2. "Agritourism professional" means any person who is engaged
2 in the business of providing one or more agritourism activities,
3 whether or not for compensation ~~and whose agritourism activity is~~
4 ~~registered with the Oklahoma Department of Agriculture, Food, and~~
5 ~~Forestry;~~

6 3. "Inherent risks of agritourism activity" means those dangers
7 or conditions that are an integral part of an agritourism activity
8 including certain hazards, surface and subsurface conditions,
9 natural conditions of land, vegetation, and waters, the behavior of
10 wild or domestic animals, and ordinary dangers of structures or
11 equipment ordinarily used in farming and ranching operations.
12 Inherent risks of agritourism activity also include the potential of
13 a participant to act in a negligent manner that may contribute to
14 injury to the participant or others, including failing to follow
15 instructions given by the agritourism professional or failing to
16 exercise reasonable caution while engaging in the agritourism
17 activity; and

18 4. "Participant" means any person, other than the agritourism
19 professional, who engages in an agritourism activity.

20 SECTION 2. This act shall become effective November 1, 2017.

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