

- SUBJECT:** Limiting liability for injuries incurred from certain recreational vehicles
- COMMITTEE:** Judiciary and Civil Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Smithee, Clardy, Hernandez, Laubenberg, Raymond, Schofield, Sheets
- 0 nays
- 2 present, not voting — Farrar, S. Thompson
- WITNESSES:** For — (*Registered, but did not testify:* Kevin Cooper and Thomas Ratliff, Polaris Industries; Mike Hull, Texans for Lawsuit Reform; Royce Poinsett, Texas Motorcycle Dealers Association)
- Against — None
- BACKGROUND:** Civil Practice and Remedies Code, ch. 75, regarding the limitation of landowners' liability, provides that if owners, lessees, or occupants of agricultural land or other real property give permission or invite another to enter the premises for recreation, they do not assure that the premises are safe for that purpose. They also do not owe that person a greater degree of care than is owed to a trespasser on the premises or assume responsibility or incur liability for injury to any individual or property caused by that person.
- DIGEST:** CSHB 2303 would amend Civil Practice and Remedies Code, sec. 75.001(3) by extending the definition of "recreation" under the limitation of landowners' liability to include the use of recreational off-highway vehicles.
- This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015. The bill would apply only to a cause of action that accrued on or after the effective date.