

STAFF MEASURE SUMMARY

House Committee On Consumer Protection and Government Effectiveness

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 06/02/15

Action: Do Pass.

Meeting Dates: 05/26, 06/02

Vote:

Yeas: 6 - Buehler, Holvey, McLain, Nearman, Rayfield, Stark

Exc: 1 - Fagan

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Provides that an agri-tourism provider is not liable for injury to or death of participant arising out of inherent risks of agri-tourism if agri-tourism provider posts certain notices. Provides exceptions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Types of activities involved in agri-tourism
- Comparison to equine limited liability
- Educational benefits of agri-tourism
- Product of work group

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The State of Oregon has a vibrant and growing agri-tourism industry, which includes vineyards, pumpkin patches, corn mazes, and a broad range of other activities. Oregon does not currently have a statute limiting the liability of agri-tourism operations. Such agri-tourism laws exist in over twenty other states.

Senate Bill 341-A provides that an agri-tourism provider is not liable for injury to or death of a participant arising out of the inherent risks of agri-tourism if the agri-tourism provider posts certain notices and has not acted negligently. Additionally, the measure defines relevant terms and includes the exact warning language that must be posted.