

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB871

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Earley

3. **Committee:** Courts of Justice.

4. **Title:** Campgrounds; inherent risks; liability.

5. **Summary:** Provides that a person who goes camping at a campground shall be presumed to have known the inherent risks of camping, as defined in the bill. The bill provides that a camping professional, as defined in the bill, shall not be liable for the injury to or death of a camping participant resulting from the inherent risks of camping. The bill further provides that no camping participant or camping participant's representative is authorized to maintain an action against or recover from a camping professional for injury to, loss or damage by, or death of the camping participant resulting exclusively from any of the inherent risks of camping, provided that in any action for damages against a camping professional for camping activity, the camping professional pleads the affirmative defense of assumption of the risk. The bill excludes from such immunity acts taken by a camping professional to intentionally cause personal injury or death or property damage, acts made with a willful or wanton disregard for the safety of the camping participant, and instances wherein the camping professional has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity and does not make the danger known to the camping participant.

6. **Budget Amendment Necessary:** No.

7. **No Fiscal Impact.**

8. **Fiscal Implications:** This legislation would not have a fiscal impact on the Department of Health.

9. **Specific Agency or Political Subdivisions Affected:** None.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.