

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB746)

Received: 2/18/2014 Received By: chanaman
Wanted: As time permits Same as LRB:
For: Amy Sue Vruwink (608) 266-8366 By/Representing: Carl
May Contact: Drafter: chanaman
Subject: Courts - immunity liability Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Vruwink@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
larry.konopacki@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Liability protections for landowners who provide agritourism opportunities

Instructions:

Include agricultural tourism activities under s. 895.52

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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State of Wisconsin
2013 - 2014 LEGISLATURE



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ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 746

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1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 1: before that line insert:

3 "SECTION 1d. 895.52 (1) (a) of the statutes is renumbered 895.52 (1) (ar).

4 SECTION 1h. 895.52 (1) (ag) of the statutes is created to read:

5 895.52 (1) (ag) "Agricultural tourism activity" has the meaning given in s.
6 895.524 (1) (a).

7 SECTION 1p. 895.52 (1) (g) of the statutes, as affected by 2013 Wisconsin Act
8 20, is amended to read:

9 895.52 (1) (g) "Recreational activity" means any outdoor activity undertaken
10 for the purpose of exercise, relaxation or pleasure, including practice or instruction
11 in any such activity. "Recreational activity" includes hunting, fishing, trapping,
12 camping, picnicking, exploring caves, nature study, bicycling, horseback riding,
13 bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain

1 vehicle, operating a vehicle, as defined in s. 340.01 (74), on a road designated under
2 s. 23.115, ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding,
3 snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or
4 removing wood, climbing observation towers, animal training, harvesting the
5 products of nature, participating in an agricultural tourism activity, sport shooting
6 and any other outdoor sport, game or educational activity. “Recreational activity”
7 does not include any organized team sport activity sponsored by the owner of the
8 property on which the activity takes place.

9 **SECTION 1r.** 895.52 (6) (a) 7. of the statutes is created to read:

10 895.52 (6) (a) 7. A payment made to purchase products or goods offered for sale
11 on the property.”.

12 **2.** Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1t”.

13 **3.** Page 5, line 7: delete that line and substitute:

14 “(1g) The treatment of section 895.524 of the statutes first applies to an injury
15 or death that occurs on the effective date of this subsection.

16 (1r) (a) In this subsection:

17 1. “Owner” has the meaning given in section 895.52 (1) (d) of the statutes.

18 2. “Property” has the meaning given in section 895.52 (1) (f) of the statutes.

19 3. “Recreational activity” has the meaning given in section 895.52 (1) (g) of the
20 statutes, as affected by this act.

21 (b) The treatment of section 895.52 (1) (a), (ag), and (g) and (6) (a) 7. of the
22 statutes first applies to the death of, any injury to, or any death or injury caused by,

1 a person engaging in a recreational activity on the owner's property on the effective
2 date of this subsection.”.

3 (END)