



2015 SENATE BILL 126

April 20, 2015 – Introduced by Senators WANGGAARD, NASS, VINEHOUT, COWLES, PETROWSKI, MOULTON and FARROW, cosponsored by Representatives KAPENGA, KERKMAN, JACQUE, WEATHERSTON, CZAJA, EDMING, QUINN, HORLACHER, KNODL, PETRYK, KULP, GANNON, THIESFELDT and TAUCHEN. Referred to Committee on Judiciary and Public Safety.

- 1 **AN ACT to create** 895.481 (1) (b) 5d. and 895.481 (1) (b) 5r. of the statutes;
2 **relating to:** immunity from civil liability for certain equine activities.

Analysis by the Legislative Reference Bureau

Under current law, a person who participates in certain equine activities (related to horses, ponies, mules, and other equines) is immune from civil liability for his or her acts or omissions if another person is injured or killed as a result of an inherent risk of an equine activity. An inherent risk of an equine activity is any condition that is an integral part of an equine activity, including the unpredictability of the animal's behavior, the failure of a rider to control an animal, or a collision with an object or another animal.

Current law does not extend immunity if a person provides equine equipment that he or she knew or should have known was faulty, if a person provides an equine to a person without making a reasonable effort to determine the person's ability to safely manage the equine, if a person acts in a willful or wanton disregard for the safety of a person or intentionally causes the person's injury or death, or if a person fails to post required safety and warning signs.

Under this bill, equine-assisted learning and equine-assisted psychotherapy are equine activities for the purpose of civil liability immunity.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

