

A-Engrossed Senate Bill 341

Ordered by the Senate April 29
Including Senate Amendments dated April 29

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Provides that agri-tourism [*provider*] **professional** is not liable for injury to or death of participant arising out of inherent risks of agri-tourism if agri-tourism [*provider*] **professional** posts certain notices. Provides exceptions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to agri-tourism; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. As used in sections 1 to 3 of this 2015 Act:**

5 (1) **"Agri-tourism activity" means an activity carried out on a farm or ranch that allows**
6 **members of the general public, for recreational, entertainment or educational purposes, to**
7 **view or enjoy rural activities, including farming, wineries, ranching and historical, cultural**
8 **or harvest-your-own activities or natural activities and attractions. An activity is an agri-**
9 **tourism activity whether or not the participant paid to participate in the activity.**

10 (2) **"Agri-tourism professional" means a person who is engaged in the business of pro-**
11 **viding one or more agri-tourism activities, whether or not for compensation.**

12 (3) **"Farm or ranch" means an area of land used for the production, cultivation, growing,**
13 **harvesting or processing of agricultural products.**

14 (4) **"Inherent risks of agri-tourism activity" means those dangers or conditions that are**
15 **an integral part of an agri-tourism activity, including:**

16 (a) **Surface and subsurface conditions;**

17 (b) **Natural conditions of land, vegetation and waters;**

18 (c) **The behavior of wild or domestic animals;**

19 (d) **Ordinary dangers of structures or equipment ordinarily used in farming and ranching**
20 **operations; and**

21 (e) **The potential of a participant to act in a negligent manner that may contribute to**
22 **injury to the participant or others, including failing to follow instructions given by the agri-**
23 **tourism professional or failing to exercise reasonable caution while engaging in the agri-**
24 **tourism activity.**

25 (5) **"Participant" means an individual other than an agri-tourism professional who en-**
26 **gages in an agri-tourism activity.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
2 **on its passage.**

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