

SESSION OF 2003

SUPPLEMENTAL NOTE ON SENATE BILL NO. 134

As Amended by House Committee on
Tourism and Parks

Brief*

SB 134 would expand the definition of recreational purpose as it relates to the liability of a property owner and other persons in control of the premises toward an individual entering that property. The expanded definition would include equine riding and recreational farming and ranching activities which are provided as agri-tourism activities. Recreational farming activities would specifically exclude the individual's operation of agricultural equipment, except that recreational farm activities would not include operation of agricultural equipment by a person who is a member of the public on the land for recreational purposes. "Agricultural equipment" includes, but is not limited to, tractors, trailers, combines, tillage implements, bailers, and other equipment used in plantings, cultivating, irrigating, or harvesting agricultural products, excluding self-propelled machines designed primarily for the transportation of persons or property on a street or highway.

Background

The bill was introduced by the Senate Committee on Commerce. Proponents testifying before the Senate Committee in favor of the bill included representatives of the Travel Industry Association of Kansas, the Kansas Livestock Association, and the Kansas Sampler Foundation. Opponents to the bill presenting testimony included representatives of the Kansas Trial Lawyers Association, the Mahaffie Stagecoach Stop and Farm Foundation, and the Kansas Farm Bureau. These same conferees, except the conferee from the Mahaffie Stagecoach Stop and Farm Foundation, appeared before the House Tourism and Parks

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Committee. The Kansas Sampler Foundation submitted written testimony.

The Senate Committee amended the bill to more clearly define equine riding, recreational farming activities, and recreational ranching activities.

The Senate Committee of the Whole amended the bill to include a definition of agricultural equipment and clarify the definition of recreational farming activities.

The House Committee on Tourism and Parks further amended the bill to clarify the definition of recreational farming activities.

The fiscal note prepared by the Division of the Budget on the original bill states that there would be no fiscal impact to the state.