

By: Frullo

H.B. No. 2839

A BILL TO BE ENTITLED

AN ACT

relating to a landowner's liability for certain aviation activities on the owner's land.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 75.001, Civil Practice and Remedies Code, is amended by adding Subdivision (1-a) and amending Subdivisions (2) and (3) to read as follows:

(1-a) "Aviation activities" means the taxiing, taking off, flying, or landing of an airplane or other aircraft.

(2) "Premises" includes land, roads, water, watercourse, private ways, and airstrips and buildings, structures, machinery, and equipment attached to or located on the land, road, water, watercourse, ~~or~~ private way, or airstrip.

(3) "Recreation" means an activity such as:

(A) hunting;

(B) fishing;

(C) swimming;

(D) boating;

(E) camping;

(F) picnicking;

(G) hiking;

(H) pleasure driving, including off-road motorcycling and off-road automobile driving and the use of all-terrain vehicles;

- 1 (I) nature study, including bird-watching;
- 2 (J) cave exploration;
- 3 (K) waterskiing and other water sports;
- 4 (L) any other activity associated with enjoying
- 5 nature or the outdoors;
- 6 (M) bicycling and mountain biking;
- 7 (N) disc golf;
- 8 (O) on-leash and off-leash walking of dogs; [~~or~~]
- 9 (P) radio control flying and related activities;
- 10 or
- 11 (Q) aviation activities.

12 SECTION 2. The change in law made by this Act applies only  
13 to a cause of action that accrues on or after the effective date of  
14 this Act. A cause of action that accrues before the effective date  
15 of this Act is governed by the law applicable to the cause of action  
16 immediately before the effective date of this Act, and that law is  
17 continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2013.