

HOUSE BILL NO. 479

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES CARNEY, Larson, Leman

Introduced: 2/18/92

Referred: Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for injuries or death resulting from equine activities."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 09.65 is amended by adding a new section to read:**

4 Sec. 09.65.145. **CIVIL LIABILITY FOR INJURIES RESULTING FROM EQUINE**
5 **ACTIVITIES.** (a) Except as provided in (b) of this section, a person, and the personal
6 representative of a person, who suffers an injury or death resulting from an equine activity may
7 not recover civil damages from an equine activity sponsor or an equine professional.

8 (b) This section does not affect a civil action for damages resulting from

9 (1) reckless or intentional misconduct of the equine activity sponsor or equine
10 professional or agents or employees of the equine activity sponsor or equine professional;

11 (2) a dangerous latent condition that is known or should have been known to the
12 equine activity sponsor or equine professional and for which warning signs have not been
13 conspicuously posted, if the equine activity sponsor or equine professional owns, leases, rents,
14 or is otherwise in lawful possession and control of the land or facilities where the injury or

- 1 injuries resulting in death occurred;
- 2 (3) equipment or tack provided by the equine activity sponsor or equine
3 professional;
- 4 (4) the failure of the equine activity sponsor or equine professional who provided
5 the equine to make reasonable efforts to determine the ability of the injured person to participate
6 safely in the equine activity and to safely manage the equine involved in the equine activity;
- 7 (5) injury or death of a spectator, or of a person who engages in an equine
8 activity but does not ride, train, or drive an equine;
- 9 (6) a defective product.
- 10 (c) In this section,
- 11 (1) "equine" means a horse, pony, mule, donkey, or hinny;
- 12 (2) "equine activity" means a show, fair, competition, performance, or parade
13 involving an equine; equine riding, inspecting, evaluating, boarding, training, or teaching;
- 14 (3) "equine activity sponsor" means a person who provides land or facilities for
15 an equine activity;
- 16 (4) "equine professional" means a person who receives compensation for
17 instructing during an equine activity or compensation for the use of an equine.