

## HB 1705 -- Racetrack Nuisance Actions

Sponsor: Hunter

This bill gives owners of racetracks in existence as of the effective date of the bill immunity from criminal liability arising out of noise resulting from the normal use of the racetrack. Owners of racetracks cannot be subject to actions for public or private nuisance or trespass. No court may enjoin the use or operation of a racetrack on the basis of noise resulting from the normal use of the racetrack.

Owners of racetracks that begin operation after the effective date of the bill are immune from criminal liability and may not be subject to any action for public or private nuisance or trespass arising out of noise resulting from the normal use of the racetrack if the racetrack is on land that is subject to land use zoning and is in compliance with the requirements of the zoning authority.

Individuals who acquire property that is adversely affected by the operation of a racetrack that was in operation prior to the time the individual acquired the property may not maintain a nuisance action on the basis of noise against the owner of the racetrack.