

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1496-01
Bill No.: HB 594
Subject: Boats and Watercraft; Liability; Entertainment; Sports and Amusements.
Type: Original
Date: March 7, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General, Office of State Public Defender, Office of State Courts Administrator** and the **Department of Public Safety - State Water Patrol** each assume the proposed legislation would have no fiscal impact on their respective agencies.

In response to a similar proposal from a previous year, officials from the **Office of Prosecution** assumed the proposed legislation would have no fiscal impact on their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2006
(10 Mo.)

FY 2007

FY 2008

\$0

\$0

\$0

FISCAL IMPACT - Small Business

The proposal fiscally impacts small businesses, as it would exempt watercraft outfitters from liability in certain situations.

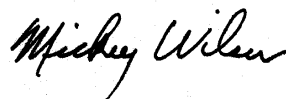
DESCRIPTION

This proposal gives immunity to outfitters of paddlesport activities for injuries or death to participants due to the inherent risks of paddlesport activities. Outfitters are not immune from liability arising out of an employer-employee relationship. Outfitters are also not immune from liability when an outfitter acts intentionally or negligently, provides unsafe equipment or watercraft, fails to provide a personal flotation device, or fails to exercise ordinary care. All outfitters must post and maintain a warning in a clearly visible location and must include the warning in all contracts with participants.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Public Defender
Department of Public Safety



Mickey Wilson, CPA
Director
March 7, 2005