

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2294H.01I
Bill No.: HB 1070
Subject: Liability; Tourism; Parks and Recreation; Property, Real and Personal
Type: Original
Date: February 16, 2021

Bill Summary: This proposal creates a new provision relating to immunity from liability for inherent risks of camping on private campgrounds.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

- ☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Attorney General's Office**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Missouri Department of Conservation**, the **Missouri Office of Prosecution Services** and the **Office of the State Public Defender** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT –</u> <u>State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT –</u> <u>Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Small business campgrounds could be positively impacted by this proposal if it provides some level of protection against lawsuits.

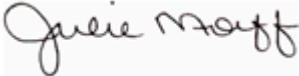
FISCAL DESCRIPTION

This bill prohibits an owner, employee, or officer of a private campground from being liable for acts related to camping at a private campground if the injury or damage occurred as a result of an inherent risk of camping, as described within the bill. This bill does not apply to actions arising under Missouri Workers' Compensation Law. Additionally, this bill does not prevent or limit liability of an owner, employee, or officer who intentionally causes injury, death, or damage, who acts with a willful or wanton disregard for the safety of the person or property damaged, who fails to use the degree of care that an ordinarily careful and prudent person would use under the circumstances, or who fails to conspicuously post warning signs of known dangerous conditions on the property. Warning signs are required to appear in black letters of at least one inch in height on a white background. Warning signs and written contracts entered into by an owner, employee, or officer shall contain a warning notice, as specified in the bill.

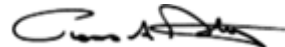
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office
Department of Natural Resources
Department of Labor and Industrial Relations
Missouri Department of Conservation
Missouri Office of Prosecution Services
Office of the State Public Defender



Julie Morff
Director
February 16, 2021



Ross Strobe
Assistant Director
February 16, 2021