

**PARENTAL WAIVERS OF LIABILITY ON BEHALF OF
MINORS**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows a parent to sign a waiver of liability for their minor child.

Highlighted Provisions:

This bill:

- ▶ allows a person or organization to obtain a release of liability from a parent or guardian on behalf of their minor child; and
- ▶ provides exceptions for when a release is not valid.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-3-102.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-3-102.5** is enacted to read:

78B-3-102.5. Release of liability by parent or guardian.

(1) A parent or guardian may execute a written document on behalf of a minor child



28 releasing a person or organization from liability for injuries that the child has suffered, or may
29 suffer in the future, as a result of the person or organization's acts or omissions, including
30 ordinary negligence.

31 (2) A release of liability executed by a parent or guardian may not provide for or result
32 in a release of the person or organization from liability for an injury arising due to the person's
33 or organization's:

34 (a) willful and wanton acts or omissions;

35 (b) gross negligence; or

36 (c) providing of defective equipment.

Legislative Review Note
as of 2-7-11 12:22 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 308

SHORT TITLE: **Parental Waivers of Liability on Behalf of Minors**

SPONSOR: **Powell, K.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.