

1 **AGRICULTURAL TOURISM AMENDMENTS**

2 2024 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Carl R. Albrecht**

5 Senate Sponsor: Scott D. Sandall

7 **LONG TITLE**

8 **H→** [Committee Note:

9 ~~—————The Natural Resources, Agriculture, and Environment Interim Committee~~
10 ~~recommended this bill.~~

11 ~~—————Legislative Vote: 14 voting for 0 voting against 5 absent] ←H~~

12 **General Description:**

13 This bill addresses agritourism activities.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ defines terms;
- 17 ▶ expands agricultural nuisance liability protections in relation to an agritourism
- 18 activity;
- 19 ▶ provides that an agricultural protection area may include an agritourism activity;
- 20 ▶ requires the Department of Agriculture and Food to maintain an agritourism registry
- 21 and describes requirements relating to the registry;

22 **H→** [~~—▶ modifies civil liability limitations in relation to an agricultural tourism activity; and]~~

22a ~~**▶ includes additional risks inherent to participating in an agritourism activity;**~~

22b ~~**▶ requires an agritourism operator to post signage regarding the inherent risks of**~~
22c ~~**participating in an agritourism activity; and**~~ ←H

- 23 ▶ makes technical changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



245 the property where an ~~[agricultural tourism]~~ agritourism activity takes place or at the location
 246 of each ~~[agricultural tourism]~~ agritourism activity, a sign ~~[describing]~~ that:

247 ~~[(a) the inherent risks of the activity; and]~~

248 ~~[(b) the limitations on liability of the operators:]~~

249 (a) is printed in black letters, that are a minimum of one inch in height, on a white
 250 background; and

251 (b) states, "WARNING: Under Utah law, an operator of an agritourism activity or the
 252 property where the activity takes place is not liable for the injury, illness, death, or damage to
 253 personal property of a participant that primarily results from the inherent risks of the activity or
 254 a participant's failure to follow instructions or exercise reasonable caution. You are assuming
 255 the risk of participating in or observing an agritourism activity."

256 ~~Ĥ→ [f] ←Ĥ~~ (4) In any action for damages for personal injury, death, or property damage in
 256a which

257 an owner or operator of an agritourism activity is named as a defendant, the court shall undergo
 258 a comparative negligence analysis and consider whether:]

259 [(a) the injured person deliberately disregarded conspicuously posted signs, verbal
 260 instructions, or other warnings regarding safety measures during the activity; or]

261 [(b) any equipment, animals, or appliance used by the injured person during the activity
 262 were used in a manner or for a purpose other than that for which a reasonable person should
 263 have known they were intended. ~~Ĥ→ [h] ←Ĥ~~

264 Section 7. **Effective date.**

265 This bill takes effect on May 1, 2024.