

House Bill 1150

By: Representatives Ray of the 128<sup>th</sup>, Royal of the 164<sup>th</sup> and Hudson of the 156<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 14 of Title 2 of the Official Code of Georgia Annotated,  
2 relating to pick-your-own farm operations, Chapter 12 of Title 4 of the Official Code of  
3 Georgia Annotated, relating to injuries from equine or llama activities, and Article 7 of  
4 Chapter 4 of Title 27 of the Official Code of Georgia Annotated, relating to limited liability  
5 of owners and operators of fishing locations, so as to change the provisions relating to  
6 exemptions from liability of pick-your-own farm operations, equine or llama activities, and  
7 owners and operators of fishing locations; to change the provisions relating to the content and  
8 style of notices and the effect of failure to post such notices; to repeal conflicting laws; and  
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Article 7 of Chapter 14 of Title 2 of the Official Code of Georgia Annotated, relating to pick-  
13 your-own farm operations, is amended by striking subsection (a) of Code Section 2-14-153,  
14 relating to the requirement of warning notices and the effect of failure to comply with notice  
15 requirements, and inserting in its place the following:

16 "(a) Every owner and operator of a pick-your-own farm operation shall post and maintain  
17 white signs which contain the warning notice specified in subsection (b) of this Code  
18 section. Such signs shall be placed in a clearly visible location near the entrance of the  
19 farm. The warning notice specified in subsection (b) of this Code section shall appear on  
20 the sign in black letters, with each capital letter to be a minimum of one inch in height and  
21 lower case letters to be proportionately sized. Every written contract entered into by an  
22 owner or operator shall contain in clearly readable print the warning notice specified in  
23 subsection (b) of this Code section."



1 where the llama professional or the llama activity sponsor conducts llama activities. The  
 2 warning notice specified in subsection (b) of this Code section shall appear on the sign in  
 3 black letters, with each capital letter to be a minimum of one inch in height and lower case  
 4 letters to be proportionately sized. Every written contract entered into by a llama  
 5 professional or by a llama activity sponsor for the providing of professional services,  
 6 instruction, or the rental of equipment or tack or a llama to a participant, whether or not the  
 7 contract involves llama activities on or off the location or site of the llama professional's  
 8 or the llama activity sponsor's business, shall contain in clearly readable print the warning  
 9 notice specified in subsection (b) of this Code section.

10 (b) The signs and contracts described in subsection (a) of this Code section shall contain  
 11 the following warning notice:

12 **WARNING**

13 Under Georgia law, a llama activity sponsor or llama professional is not liable for an  
 14 injury to or the death of a participant in llama activities resulting from the inherent risks  
 15 of llama activities, pursuant to Chapter 12 of Title 4 of the Official Code of Georgia  
 16 Annotated.

17 (c) Failure to comply with the requirements concerning warning signs and notices  
 18 provided in this Code section shall not prevent a llama activity sponsor or llama  
 19 professional from invoking the privileges of immunity provided by this chapter."

20 **SECTION 4.**

21 Article 7 of Chapter 4 of Title 27 of the Official Code of Georgia Annotated, relating to  
 22 limited liability of owners and operators of fishing locations, is amended by striking Code  
 23 Section 27-4-283, relating to posting of warning signs and the effect of failure to comply  
 24 with notice requirements, and inserting in its place the following:

25 "27-4-283.

26 (a) Every owner and operator of a fishing location shall post and maintain signs which  
 27 contain the warning notice specified in subsection (b) of this Code section. Such signs shall  
 28 be placed in a clearly visible location on or near the water and at the location where the fee  
 29 is paid. The warning notice specified in subsection (b) of this Code section shall appear on  
 30 the sign in black letters, with each capital letter to be a minimum of one inch in height and  
 31 lower case letters to be proportionately sized. Every written contract entered into by an  
 32 owner or operator shall contain in clearly readable print the warning notice specified in  
 33 subsection (b) of this Code section.

34 (b) The signs and contracts described in subsection (a) of this Code section shall contain  
 35 the following warning notice:

**WARNING**

1

2 Under Georgia law, an owner or operator of a fishing location is not liable for an injury  
3 to or the death of a participant from the inherent risks of fishing, including but not limited  
4 to drowning, pursuant to Article 7 of Chapter 4 of Title 27 of the Official Code of  
5 Georgia Annotated.

6 (c) Failure to comply with the requirements concerning warning signs and notices  
7 provided in this Code section shall not prevent an owner or operator from invoking the  
8 privileges of immunity provided by this article."

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**SECTION 5.**

10 All laws and parts of laws in conflict with this Act are repealed.