SB164 ENGROSSED



- 1 SB164
- 2 NAL5JTT-2
- 3 By Senators Price, Williams, Sessions, Jones
- 4 RFD: Agriculture, Conservation, and Forestry
- 5 First Read: 27-Feb-24

SB164 Engrossed



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to animals; to provide limitations of
10	liability for certain actions of bovines to their owners.
11	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
12	Section 1. (a) For the purposes of this section, the
13	following terms have the following meanings, unless the
14	context requires otherwise:
15	(1) BOVINE. Any buffalo, bison, cattle, or oxen.
16	(2) BOVINE ACTIVITY. Any activity involving one or more
17	bovine, including, but not limited to, any of the following:
18	a. Grazing, herding, feeding, branding, milking, or
19	other activity that involves the care or maintenance of a
20	bovine.
21	b. A bovine auction or production sale.
22	c. A bovine show, fair, or competition.
23	d. Bovine training or teaching activities.
24	e. Boarding a bovine.
25	f. Riding, inspecting, or evaluating a bovine.
26	(3) BOVINE OWNER. Any person with ownership rights to a
27	bovine.

(4) INHERENT RISK OF A BOVINE ACTIVITY. A danger or

28

SB164 Engrossed



- 29 condition that is an integral part of a bovine activity,
- including, but not limited to, any of the following:
- 31 a. The propensity of a bovine to behave in ways that
- 32 may result in injury, loss, damage, or death to a person on or
- 33 around the bovine.
- 34 b. The unpredictability of a bovine's reaction to
- 35 sounds, sudden movements, and unfamiliar objects, individuals,
- 36 and other animals.
- 37 c. Certain hazards on a property, such as surface and
- 38 subsurface conditions.
- d. Collisions with other bovines or nonmotorized
- 40 objects.
- 41 (5) PERSON. An individual, corporation, or any other
- 42 legal entity.
- (b) (1) A bovine owner shall not be liable for any
- 44 injury, loss, damage, or death of a person resulting from an
- inherent risk of a bovine activity.
- 46 (2) Except as provided in subsection (c), no person
- 47 shall make any claim against, maintain an action against, or
- 48 recover from a bovine owner for injury, loss, damage, or death
- 49 of a person resulting from an inherent risk of a bovine
- 50 activity.
- 51 (c) (1) Subsection (b) shall not be construed to prevent
- or limit the liability of a bovine owner if the owner does any
- of the following:
- 54 a. Fails to post and maintain a warning sign pursuant
- 55 to subsection (d).
- b. Commits an act or omission that constitutes willful

SB164 Engrossed



- or wanton disregard for the safety of a person, and that act or omission causes the injury, loss, damage, or death of a person.
- c. Has actual knowledge of the dangerous propensity of a particular bovine that is not open and obvious, does not make the danger known to a person, and the danger proximately causes injury, sickness, damage, or death to the person.
- (2) Article 2 of Chapter 15 of Title 35, Code of
 Alabama 1975, shall not apply to a bovine owner if injury,
 loss, damage, or death of a person results from an inherent
 risk of a bovine activity.
 - (d) (1) This section shall not apply unless a bovine owner posts and maintains a sign that contains the warning notice specified in subdivision (2). The sign shall be placed in a clearly visible location on or near a stable, corral, fence, enclosure, or arena where the owner conducts bovine activities. The warning notice shall appear in black letters, with each letter being a minimum of one inch in height.
- 75 (2) The sign described in subdivision (1) shall contain 76 the following warning notice:

77 "WARNING

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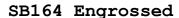
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Under Alabama Law, a bovine owner is not liable for
any injury, loss, damage, or death of a person
resulting from the inherent risks of bovine activities,
pursuant to this act."

Section 2. This act shall become effective on January 1, 2025.





84 85 86 Senate Read for the first time and referred27-Feb-24 87 to the Senate committee on 88 Agriculture, Conservation, and 89 90 Forestry 91 92 Read for the second time and placed11-Apr-24 93 on the calendar: 94 0 amendments 95 96 Read for the third time and passed16-Apr-24 as amended 97 Yeas 29 98 99 Nays 0 Abstains 0 100 101 102 103 Patrick Harris, 104 Secretary.

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