

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 2739-01  
BILL NO.: SB 673  
SUBJECT: Boats and Watercraft; Liability  
TYPE: Original  
DATE: January 3, 2000

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 3 pages.

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of State Courts Administrator**, the **Office of the Attorney General**, the **Office of Prosecution Services**, and the **Office of the State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

**FISCAL IMPACT - Small Business**

Certain small businesses could be fiscally impacted by this proposal, as it would exempt watercraft liveries from liability in certain situations.

**DESCRIPTION**

The proposed legislation would exempt watercraft liveries from liability for the death or injury of paddle sport participants resulting from the inherent risk of such an activity unless the livery: (1) intentionally injures the participant; (2) commits an act of negligence which proximately causes the death or injury; (3) negligently provides an unsafe watercraft or equipment; or (4) fails to provide a life jacket. The proposal would require every livery to post a sign that states the livery will not be responsible for the death or injury of a participant resulting from the inherent risks of paddle sport activities. In addition, every contract entered into by a livery and a participant must contain the warning.

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

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SOURCES OF INFORMATION

Office of State Courts Administrator  
Office of the Attorney General  
Office of Prosecution Services  
Office of the State Public Defender

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA  
Director  
January 3, 2000