

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 323-01  
Bill No.: Perfected SB 128  
Subject: Sports and Amusements; Liability  
Type: Original  
Date: February 13, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<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 2002	FY 2003	FY 2004
<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 2002	FY 2003	FY 2004
<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.

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## FISCAL ANALYSIS

### ASSUMPTION

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

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

### FISCAL IMPACT - Small Business

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

### DESCRIPTION

The proposed legislation would exempt watercraft outfitters from liability for the death or injury of paddlesport activity participants resulting from the inherent risk of such an activity unless the outfitter: (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 outfitter to post a sign that states the outfitter will not be responsible for the death or injury of a participant resulting from the inherent risks or paddlesport activities. In addition, every contract entered into by an outfitter 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.

SOURCES OF INFORMATION

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

February 13, 2001