

AMENDMENTS TO HOUSE BILL NO. 1348

Sponsor: REPRESENTATIVE CAUSER

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1 Amend Bill, page 1, lines 15 and 16; page 2, lines 1 through
2 7; by striking out all of said lines on said pages and inserting
3 activity that takes place on agricultural land and allows
4 members of the general public, whether or not for a fee, to
5 tour, explore, observe, learn about, participate in or be
6 entertained by an aspect of agricultural production,
7 harvesting, husbandry or rural lifestyle that occurs on the
8 farm.

9 Amend Bill, page 2, lines 14 through 29, by striking out all
10 of said lines and inserting

11 "Dangerous condition." A condition that creates an imminent
12 and substantial risk of injury or damages to a participant.

13 Amend Bill, page 3, lines 3 through 6, by striking out all of
14 said lines

15 Amend Bill, page 3, lines 11 and 12, by striking out "to a
16 person for a participant injury or damages caused as a result of
17 the participant injury" and inserting

18 for injury or damages to a participant

19 Amend Bill, page 3, line 15, by striking out "or" and
20 inserting

21 and

22 Amend Bill, page 3, line 21, by striking out "a participant"

23 Amend Bill, page 3, line 22, by striking out "caused as a
24 result of the participant injury"

25 Amend Bill, page 3, line 28, by striking out "participant"

1 Amend Bill, page 3, line 28, by inserting after "injury"
2 or damages to a participant
3 Amend Bill, page 4, line 1, by striking out "participant"
4 Amend Bill, page 4, line 1, by inserting after "injury"
5 or damages to a participant
6 Amend Bill, page 4, line 2, by inserting after "has"
7 or should have had
8 Amend Bill, page 4, line 4, by striking out "make" and
9 inserting
10 repair or make
11 Amend Bill, page 4, line 6, by striking out "the participant"
12 Amend Bill, page 4, line 6, by inserting after "injury"
13 or damages to a participant
14 Amend Bill, page 4, line 13, by striking out "and" and
15 inserting
16 or
17 Amend Bill, page 4, line 18, by striking out "Under
18 Pennsylvania law" and inserting
19 Read your written agreement or the back of your ticket.
20 Under Pennsylvania law, except for limited circumstances
21 Amend Bill, page 4, line 20, by striking out "activity."" and
22 inserting
23 activity. Do not participate in the activity if you do
24 not wish to waive liability."
25 Amend Bill, page 4, line 29, by inserting after "minor"
26 or care dependent person
27 Amend Bill, page 5, line 11, by inserting after "that"
28 , except for limited circumstances listed below,
29 Amend Bill, page 5, line 16, by striking out "activity."" and
30 inserting
31 activity. I understand that an agritourism

1 activity provider is not protected from liability if
2 the provider:

3 (1) Acts with a willful or wanton disregard for
4 a participant's safety.

5 (2) Purposefully causes a participant's injury.

6 (3) Acts or fails to act in a way that
7 constitutes criminal conduct.

8 (4) Has or should have had actual knowledge of a
9 dangerous condition of the land, facilities or
10 equipment used in the agritourism activity and does
11 not repair or make the dangerous condition known to
12 the participant. A dangerous condition is a condition
13 that creates an imminent and substantial risk of
14 injury or damages to a participant."

15 (6) Notwithstanding paragraphs (1), (2), (3) and (4), a
16 written agreement that contains substantially the same
17 language under paragraph (5) may be printed on a ticket
18 required for access to an agritourism activity.