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SYNOPSIS:

Under existing law, limitations of liability for certain actions taken by equines are provided to their owners.

This bill would provide limitations of liability for certain actions taken by bovines to their owners.

A BILL
TO BE ENTITLED
AN ACT

Relating to animals; to provide limitations of liability for certain actions of bovines to their owners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings, unless the context requires otherwise:

(1) BOVINE. Any buffalo, bison, cattle, or oxen.

(2) BOVINE ACTIVITY. Any activity involving one or more bovine, including, but not limited to, any of the following:

a. Grazing, herding, feeding, branding, milking, or other activity that involves the care or maintenance of a bovine.

b. A bovine auction or production sale.



- 29 c. A bovine show, fair, or competition.
- 30 d. Bovine training or teaching activities.
- 31 e. Boarding a bovine.
- 32 f. Riding, inspecting, or evaluating a bovine.

33 (3) BOVINE OWNER. Any person with ownership rights to a
34 bovine.

35 (4) INHERENT RISK OF A BOVINE ACTIVITY. A danger or
36 condition that is an integral part of a bovine activity,
37 including, but not limited to, any of the following:

38 a. The propensity of a bovine to behave in ways that
39 may result in injury, loss, damage, or death to a person on or
40 around the bovine.

41 b. The unpredictability of a bovine's reaction to
42 sounds, sudden movements, and unfamiliar objects, individuals,
43 and other animals.

44 c. Certain hazards on a property, such as surface and
45 subsurface conditions.

46 d. Collisions with other bovines or nonmotorized
47 objects.

48 (5) PERSON. An individual, corporation, or any other
49 legal entity.

50 (b) (1) A bovine owner shall not be liable for any
51 injury, loss, damage, or death of a person resulting from an
52 inherent risk of a bovine activity.

53 (2) Except as provided in subsection (c), no person
54 shall make any claim against, maintain an action against, or
55 recover from a bovine owner for injury, loss, damage, or death
56 of a person resulting from an inherent risk of a bovine



57 activity.

58 (c) (1) Subsection (b) shall not be construed to prevent
59 or limit the liability of a bovine owner if the owner does any
60 of the following:

61 a. Fails to post and maintain a warning sign pursuant
62 to subsection (d).

63 b. Commits an act or omission that constitutes willful
64 or wanton disregard for the safety of a person, and that act
65 or omission causes the injury, loss, damage, or death of a
66 person.

67 c. Has actual knowledge of the dangerous propensity of
68 a particular bovine that is not open and obvious, does not
69 make the danger known to a person, and the danger proximately
70 causes injury, sickness, damage, or death to the person.

71 (2) Article 2 of Chapter 15 of Title 35, Code of
72 Alabama 1975, shall not apply to a bovine owner if injury,
73 loss, damage, or death of a person results from an inherent
74 risk of a bovine activity.

75 (d) (1) This section shall not apply unless a bovine
76 owner posts and maintains a sign that contains the warning
77 notice specified in subdivision (2). The sign shall be placed
78 in a clearly visible location on or near a stable, corral,
79 fence, enclosure, or arena where the owner conducts bovine
80 activities. The warning notice shall appear in black letters,
81 with each letter being a minimum of one inch in height.

82 (2) The sign described in subdivision (1) shall contain
83 the following warning notice:

84 **"WARNING**



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

89 Section 2. This act shall become effective on January
90 1, 2025.

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