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COMMITTEE REPORT

January 25, 2012

**H. 4475**

Introduced by Reps. Young, Clyburn, Taylor, Hixon, Frye and Southard

S. Printed 1/25/12--H.

Read the first time January 10, 2012.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 4475) to amend Section 47‑9‑710, Code of Laws of South Carolina, 1976, relating to definitions for purposes of equine liability immunity, so as to include trail, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 47‑9‑710(3)(a) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(3) ‘Equine activity’ means:

(a) an equine show, fair, competition, performance, ~~or~~ parade, or trail riding that involves a breed of equine and an equine discipline, including, but not limited to, dressage, hunter and jumper horse shows, grand prix jumping, three‑day events, combined training, rodeos, driving, pulling, cutting, polo, steeplechasing, English and western performance riding, ~~endurance~~ trail riding and western games, and hunting;”

SECTION 2. Section 47-9-710(4) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(4) ‘Equine activity sponsor’ means an individual, a group, a club, a partnership, or a corporation, whether the sponsor is operating for profit or nonprofit, which sponsors, organizes, or provides the facilities for an equine activity, including, but not limited to, a pony club, 4‑H club, hunt club, riding club, school and college‑sponsored class, program, and activity, therapeutic riding program, and an operator, instructor, and promoter of an equine facility, including, but not limited to, a stable, clubhouse, ponyride string, fair, and an arena at which the activity is held or a landowner who has given permission for the use of his land in an equine activity either by easement or other means.”

SECTION 3. Section 47‑9‑730(A) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(A) An equine professional and an equine activity sponsor shall post and maintain signs which contain the warning notice specified in subsection (B). These signs must be placed in a clearly visible location on or near stables, corrals, or arenas where the equine professional or the equine activity sponsor conducts equine activities or once at the primary entrance to any riding trail maintained or operated by the activity sponsor. The warning notice specified in subsection (B) must appear on the sign in black letters with each letter a minimum of one inch in height. A written contract entered into by an equine professional or by an equine activity sponsor to provide professional services, instruction, or rental of equipment, tack, or an equine to a participant, whether or not the contract involves equine activities on or off the location or site of the business of the equine professional or the equine activity sponsor, must contain in clearly readable print the warning notice specified in subsection (B).”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

NELSON L. HARDWICK for Committee.

**A** **BILL**

TO AMEND SECTION 47‑9‑710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF EQUINE LIABILITY IMMUNITY, SO AS TO INCLUDE TRAIL RIDING IN THE DEFINITION OF “EQUINE ACTIVITY”; AND TO AMEND SECTION 47‑9‑730, RELATING TO WARNING SIGNS REQUIRED TO BE POSTED BY EQUINE PROFESSIONALS AND EQUINE ACTIVITY SPONSORS, SO AS TO INCLUDE A REQUIREMENT THAT WARNING SIGNS ARE TO BE POSTED AT THE ENTRANCE TO RIDING TRAILS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47‑9‑710(3)(a) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(3) ‘Equine activity means:

(a) an equine show, fair, competition, performance, ~~or~~ parade, or trail riding that involves a breed of equine and an equine discipline, including, but not limited to, dressage, hunter and jumper horse shows, grand prix jumping, three‑day events, combined training, rodeos, driving, pulling, cutting, polo, steeplechasing, English and western performance riding, endurance trail riding and western games, and hunting;”

SECTION 2. Section 47‑9‑730(A) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(A) An equine professional and an equine activity sponsor shall post and maintain signs which contain the warning notice specified in subsection (B). These signs must be placed in a clearly visible location on or near stables, corrals, or arenas where the equine professional or the equine activity sponsor conducts equine activities or at the entrance to any riding trail maintained or operated by the equine activity sponsor. The warning notice specified in subsection (B) must appear on the sign in black letters with each letter a minimum of one inch in height. A written contract entered into by an equine professional or by an equine activity sponsor to provide professional services, instruction, or rental of equipment, tack, or an equine to a participant, whether or not the contract involves equine activities on or off the location or site of the business of the equine professional or the equine activity sponsor, must contain in clearly readable print the warning notice specified in subsection (B).”

SECTION 3. This act takes effect upon approval by the Governor.

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