

.As Engrossed: 2/6/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative George**

A BILL ACT 103 OF 1991
HOUSE BILL 1020

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT OFFICERS, EMPLOYEES AND BOARD
9 MEMBERS OF NONPROFIT CORPORATIONS SHALL NOT BE CIVILLY
10 LIABLE FOR DAMAGES RESULTING FROM THEIR ACTS OR OMISSIONS
11 RELATING TO AN EQUINE ACTIVITY SPONSORED, ORGANIZED,
12 PROMOTED OR ASSISTED BY THE NONPROFIT CORPORATION EXCEPT
13 IN CIRCUMSTANCES CONSTITUTING MALICIOUS, WILFUL, WANTON,
14 OR GROSSLY NEGLIGENT CONDUCT; AND FOR OTHER PURPOSES."

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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. (A) "Equine" means a horse, pony, mule, donkey, or hinny.
19 (b) "Equine activity" means: (1) Equine shows, fairs, competitions,
20 performances, or parades that involve any or all breeds of equines and any of
21 the equine disciplines, including, but not limited to, dressage, hunter and
22 jumper horse shows, grand prix jumping, three-day events, combined training,
23 rodeos, pulling, cutting, polo, steeplechasing, endurance trail riding and
24 western games, and hunting; (2) equine training and/or teaching activities;
25 (3) board equines; (4) riding, inspecting, or evaluating an equine belonging
26 to another whether or not the owner has received some monetary consideration
27 or other thing of value for the use of the equine or is permitting a
28 prospective purchaser of the equine to ride, inspect, or evaluate the equine;
29 and (5) rides, hunts, or other equine activities of any type however informal
30 or impromptu.

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32 SECTION 2. No officer, employee or member of the board of directors of a
33 nonprofit corporation organized under the nonprofit corporation laws of this
34 State or any other state shall be held personally liable in any civil action
35 for damages resulting from their acts of commission or omission relating to an
36 equine activity sponsored, organized, promoted or otherwise assisted by the

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1 nonprofit corporation, except that this Act does not shield them from
2 liability for their malicious, wilful, wanton, or grossly negligent conduct.

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4 SECTION 3. This Act shall not apply to causes of action based upon
5 conduct occurring prior to the effective date of this Act.

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7 SECTION 4. All provisions of this Act of a general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 5. If any provision of this Act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the Act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 Act are declared to be severable.

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17 SECTION 6. All laws and parts of laws in conflict with this Act are
18 hereby repealed.

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/s/Lloyd George

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APPROVED: 2-12-91

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