CIVIL PRACTICE AND REMEDIES CODE

TITLE 4. LIABILITY IN TORT

CHAPTER 75B. LIMITED LIABILITY FOR RECREATIONAL VEHICLE PARK AND CAMPGROUND ACTIVITIES

Sec. 75B.001. DEFINITIONS. In this chapter:

(1) "Campground" means a commercial property designed to provide cabins for transient guest use or areas for locating recreational vehicles or tents for transient guest use.

(2) "Campground entity" means a person engaged in the business of owning or operating a campground.

(3) "Recreational vehicle park" has the meaning assigned by Section 13.087, Water Code.

(4) "Recreational vehicle park entity" means a person engaged in the business of owning or operating a recreational vehicle park.

(5) "Recreational vehicle park or campground activity" means an activity at a recreational vehicle park or campground for recreational or educational purposes.

(6) "Recreational vehicle park or campground participant" means an individual, other than an employee of a recreational vehicle park or campground entity, who engages in a recreational vehicle park or campground activity.

(7) "Recreational vehicle park or campground participant injury" means an injury sustained by a recreational vehicle park or campground participant, including bodily injury, emotional distress, death, property damage, or any other loss arising from the person's conduct of or participation in a recreational vehicle park or campground activity.

Added by Acts 2023, 88th Leg., R.S., Ch. 508 (H.B. 2636), Sec. 1, eff. June 10, 2023.

Sec. 75B.002. LIMITED LIABILITY. (a) Except as provided by Subsection (b), a recreational vehicle park or campground entity is not liable to any person for a recreational vehicle park or campground participant injury or damages arising out of a recreational vehicle park or campground participant injury if, at

the time of the recreational vehicle park or campground activity from which the injury arises, the warning prescribed by Section 75B.003 was posted in accordance with that section.

(b) This section does not limit liability for an injury:

(1) proximately caused by:

(A) the recreational vehicle park or campground entity's negligence with regard to the safety of the recreational vehicle park or campground participant;

(B) a potentially dangerous condition on the land, facilities, or equipment used in the activity, of which the recreational vehicle park or campground entity knew or reasonably should have known; or

(C) the recreational vehicle park or campground entity's failure to train or improper training of an employee of the recreational vehicle park or campground entity actively involved in a recreational vehicle park or campground activity; or

(2) intentionally caused by the recreational vehicle park or campground entity.

(c) A limitation on liability provided by this section to a recreational vehicle park or campground entity is in addition to other limitations of liability.

Added by Acts 2023, 88th Leg., R.S., Ch. 508 (H.B. 2636), Sec. 1, eff. June 10, 2023.

Sec. 75B.003. POSTED WARNING. For the purposes of limitation of liability under Section 75B.002(a), a recreational vehicle park or campground entity must post and maintain a sign in a clearly visible location on or near the recreational vehicle park or campground. The sign must contain the following language:

WARNING

TEXAS LAW (CHAPTER 75B, CIVIL PRACTICE AND REMEDIES CODE) LIMITS THE LIABILITY OF A RECREATIONAL VEHICLE PARK OR CAMPGROUND ENTITY FOR INJURIES OR DEATH OF A RECREATIONAL VEHICLE PARK OR CAMPGROUND PARTICIPANT RESULTING FROM A RECREATIONAL VEHICLE PARK OR CAMPGROUND ACTIVITY.

Added by Acts 2023, 88th Leg., R.S., Ch. 508 (H.B. 2636), Sec. 1, eff. June 10, 2023.