

*...A nonprofit corporation ..., or a person ... donating service, livestock, facilities, or equipment ..., is not liable of the death or an injury to a participant resulting from the inherent risks of livestock activities.*

## **Minnesota Equine Liability Law**

Sec. 3 (604A.12) **LIVESTOCK ACTIVITIES: IMMUNITY FROM LIABILITY.**

### **Subdivision 1. Definitions.**

- (a) For purposes of this section, the following terms have the meanings given them.
- (b) “Inherent risks of livestock activities” means dangers or conditions that are an integral part of livestock activities, including: (1) the propensity of livestock to behave in ways that may result in death or injury to persons on or around them, such as kicking, biting or backing; (2) the unpredictability of livestock’s reaction to things like sound, sudden movement, unfamiliar objects, persons or other animals; (3) natural hazards such as surface or subsurface conditions; or (4) collisions with other livestock or objects.
- (c) “Livestock” means cattle, sheep, swine, horses, ponies, donkeys, mules, hinnies, goats, buffalo, llamas or poultry.
- (d) “Livestock activity” means an activity involving the maintenance or use of livestock, regardless of whether the activity is open to the general public, provided the activity is not performed for profit. Livestock activity includes: (1) livestock production; (2) loading, unloading or transporting livestock; (3) livestock shows, fairs, competitions, performances, races, rodeos or parades; (4) livestock training or teaching activities; (5) boarding, shoeing or grooming livestock; or (6) riding or inspecting livestock or livestock equipment.
- (e) “Livestock activity sponsor” means a person who sponsors, organizes or provides the facilities for a livestock activity that is open to the general public.
- (f) “Participant” means a person who directly and intentionally engages in a livestock activity. “Participant” does not mean a spectator who is in an authorized area.

**Subdivision 2. Immunity from Liability,** except as provided in subdivision 3, a nonprofit corporation, association, or organization, or a person or other entity donating service, livestock, facilities, or equipment for the use of a nonprofit corporation, association, or organization, is not liable of the death or an injury to a participant resulting from the inherent risks of livestock activities.

**Subdivision 3. Exceptions,** Subdivision 2 does not apply if any of the following exist: (1) the person provided livestock for the participant and failed to make reasonable efforts to determine the ability of the participant to safely engage in the livestock activity, or to determine the ability of the participant to safely manage the particular livestock based on the participant’s representations of the participant’s ability; (2) the person provided equipment or tack for the livestock and knew, or should have known, that it was faulty to the extent that it caused injury or death; (3) the person owns or leases the land upon which a participant was injured or died because of a man-made dangerous latent condition and failed to use reasonable care to protect the participant; (4) the person is a livestock activity sponsor and fails to comply with the notice requirement of subdivision 4; or (5) the act of omission of the person was willful or negligent.

**Subdivision 4. Posting Notice,** A livestock activity sponsor shall post plainly visible signs at one or more prominent locations in the premises where the livestock activity takes place that include a warning of the inherent risks of the livestock activity and the limitation of liability under this section.

Sec. 4 (604A.17) **MISCELLANEOUS VOLUNTEER & CHARITABLE ACTIVITIES.** An individual and an individual’s estate are not liable for an anatomical gift as provided in section 525.9221, paragraph (d).

Sec. 5 (604A.17) **EFFECTIVE DATE: APPLICATION.** Section 3 is effective August 1, 1994 and applies to causes of action arising on or after that date.