

SECOND REGULAR SESSION

SENATE BILL NO. 911

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time January 16, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5972S.011

AN ACT

To repeal section 262.008, RSMo, and to enact in lieu thereof one new section relating to immunity from liability for the transmission of animal pathogens on fairgrounds.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 262.008, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 262.008, to read as follows:

262.008. 1. As used in this section, the following terms shall
2 mean:

3 (1) "Fair authority", the Missouri state fair commission
4 established under section 262.217, county agricultural and mechanical
5 society established under section 262.290, or the governing body of all
6 national, state, or local fairs, expositions, or pet shows;

7 (2) "Fairgrounds", real estate under the management and control
8 of a fair authority, including land, buildings, and improvements;

9 (3) "Pathogen", a microorganism, biological agent, or toxin that
10 causes disease, illness, or death to a human, if the microorganism,
11 biological agent, or toxin is primarily transmitted by human contact
12 with livestock or domestic animals, manure from livestock or domestic
13 animals, or other excretions or body fluids from livestock or domestic
14 animals;

15 (4) "Premises", a location under the control of a fair authority
16 where livestock or domestic animals are regularly kept for three or
17 more consecutive hours.

18 2. The governing body of all national, state, and local fairs, expositions,
19 and pet shows conducted in this state which include the exhibition of livestock or

20 domestic animals shall permit all livestock breeders and domestic animal owners
21 to exhibit livestock and domestic animals at such fair, exposition, or pet
22 show. The governing body of each national, state, and local fair, exposition, or
23 pet show shall have the authority to establish rules and fees for participation in
24 its individual events.

25 **3. A fair authority shall not be liable for damages arising from**
26 **a claim by a fair participant or spectator alleging injury or death**
27 **caused by a pathogen transmitted at a premises located on**
28 **fairgrounds. This subsection shall apply regardless of whether**
29 **livestock or domestic animals are present on the premises when the**
30 **pathogen is transmitted. This subsection shall not apply if a fair**
31 **authority fails to post a warning sign at a conspicuous place at the**
32 **premises, as required under subsection 4 of this section.**

33 **4. A fair authority shall post a warning sign at a conspicuous**
34 **place on any premises located on the fairgrounds. The warning sign**
35 **shall be clearly visible to a person visiting the premises for the first**
36 **time. The sign shall have a white background and the sign's notice**
37 **shall be printed in black letters a minimum of one inch high in the**
38 **following form:**

39 **WARNING**

40 **LIVESTOCK AND DOMESTIC ANIMAL PREMISES**

41 **Under Missouri Law, the fair is not liable for a livestock or domestic**
42 **animal pathogen transmitted from this premises. Take necessary**
43 **sanitary precautions including by not touching your face or consuming**
44 **food or water until thoroughly cleansing and drying your hands after**
45 **your visit. As soon as possible after your visit, thoroughly cleanse your**
46 **hands using appropriate soap and water, and thoroughly dry them after**
47 **cleansing.**

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