

NEGLIGENCE LAW SECTION

Respectfully submits the following position on:

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HB 4866 & HB 4867

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The Negligence Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Negligence Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Negligence Law Section is 2,112.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 13. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Negligence Law Section

Contact person:

Todd Tennis

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Bill Number:

[HB 4866](#) (Johnson) Torts; liability; farm markets; limit civil liability for personal injury and property damage. Creates new act.

[HB 4867](#) (Johnson) Torts; liability; liability of persons under equine activity liability act; limit to willful or wanton acts under certain circumstances. Amends sec. 5 of [1994 PA 351](#) (MCL [691.1665](#)).

Date position was adopted:

March 28, 2012

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

12 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HB 4866 would greatly limit liability for injuries caused by operators of farm markets. HB 4867 would greatly limit liability for injuries caused by operators of equestrian activities.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2011-HB-4866>

<http://legislature.mi.gov/doc.aspx?2011-HB-4867>