



# OHIO HOUSE OF REPRESENTATIVES

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*State Representative Shane Wilkin*

Thank you, Chair Hillyer, Vice- Chair Grendell and Ranking member Galonski and all members of the House Civil Justice Committee for allowing us an opportunity to provide sponsor testimony on House Bill 229. This legislation was passed out of the House last G.A. 65-31. We worked with the Ohio Association of Justice to address their concerns with the bill. This as-introduced version this GA incorporates those agreed upon amendments from last year.

HB 229 is legislation to grant limited liability protections for privately owned campgrounds in Ohio. This idea was brought to me by a local business, Long's Retreat Family Resort. In crafting the bill, it is modeled after similar protections for Agritourism businesses that was passed in a previous General Assembly and is working as intended. This legislation is a way of protecting campground owners from frivolous lawsuits brought by campers participating in activities that are inherently dangerous.

This legislation is **NOT** an all or-nothing protection when RV Park and campground owners are negligent. It is important to note this legislation would extend liability protections for only those "**risk inherent to camping**", which is specifically defined in the bill and includes things such as features of the natural world, uneven terrain, wildlife, etc... Things such as a licensed swimming pool, would not be covered for these protections. Imagine an example of a

family camping at their local campground. They are enjoying nature and set off on a hike of the grounds. Because of naturally occurring uneven terrain, one of the campers fall and break their ankle. This requires a trip to the hospital and medical bills. Should the campground be held responsible for that? My position is they should not, and those hikers took on an inherent risk by being out in nature.

Many times when a lawsuit is brought against a campground owner for some injury sustained from regular camping activities, the insurance company is inclined to settle. But there are still cost incurred by the business owner, such as increased premiums. In order for campgrounds to benefit from their protections, the bill also requires the campground owner to post signage meeting the criteria within the legislation to give proper notice to their campers. Campers should have an expectation of the risk incurred by being in nature.

Thank you again Mr. Chairman, I am happy to answer any questions you all may have.