



# Ohio Campground Owners Association, Inc.

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*Privately owned and operated campgrounds serving Ohio's recreational needs*

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## House Bill 229

### Proponent Testimony – Jeff Hoffman

Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and all members of the House Civil Justice Committee, thank you for the opportunity to give testimony today on House Bill 229. My name is Jeff Hoffman and I have been in the campground business for over 45 years. I am here because I am strongly in favor of House Bill 229. I am the owner of Sandusky Bayshore KOA and currently serve as the President of the Ohio Campground Owners Association (OCA). The OCA represents privately owned and operated campgrounds in the State.

HB 299 provides private campgrounds limited liability protections from lawsuits for risks inherent to camping. This bill applies to private and public campgrounds in the State.

Members of the OCA are campgrounds that are privately owned, yet obviously open to the public. Most are family owned and operated and are multigenerational. This is our livelihood; our parks carry our blood, sweat, tears and to be in constant threat of a frivolous lawsuit from an obvious risk to camping is stressful. This bill seeks to add certainty to Ohio law and make clear what is inherently a risk while camping.

Many of the things commonly associated with camping carry risks for the participant: fishing, campfires, hiking, etc. An owner cannot entirely eliminate those risk and should not be held liable if an injury occurs. Make no mistake, at my business we take safety very seriously. I do my best to make sure our campers are safe but providing certainty of that is impossible.

In my 45 years in the camping business, I have had many incidents which would qualify under this Bill, such as dog bites, people tripping over fire rings or tree roots, wind damage, animal encounters and many other episodes. I know this bill is not designed to eliminate our liability for things which are under our control and I agree with the limited scope of this bill.

If this bill passes, we as campground operators will still have to try and mitigate these situation as they occur. Our reputations are important to us so we will always try and satisfy our camping guest to the best our ability. However, as you know not ever person is reasonable, and that is why we are asking for this bill. All lawsuits costs money to defend, whether through our insurance company representation or our own attorneys.

This bill would help reduce those situations where we are defending against frivolous lawsuits.

During the process in the previous General Assembly, we were able to work with the Ohio Association of Justice and incorporated their feedback into the bill before you today. During the debate last General Assembly, no opponent groups or organizations came forward on the legislation.

Passing this bill will provide needed clarity for our members and for our campers. HB 229 is modeled after legislation enacted to grant these explicit protections for Agritourism businesses. The OCOA believes our members' business should be granted those some protections.

Mr. Chairman, thank you again for the opportunity to talk with you about HB 229 and I will do my best to answer any questions from the committee.