

TITLE 6  
ACTIONS IN PARTICULAR CASES

CHAPTER 29  
LIVESTOCK ACTIVITIES IMMUNITY ACT

6-2901. DEFINITIONS. For purposes of this section, the following terms have the following meanings:

(1) "Livestock" means cattle, sheep, swine, goats, llamas, alpacas or poultry.

(2) "Livestock activity" means livestock shows, fairs, competitions, performances, races or parades.

(3) "Livestock activity sponsor" means an individual, group or club, partnership or corporation, whether or not the sponsor is operating for profit or nonprofit, which sponsors, organizes or provides the facilities for a livestock activity including, but not limited to, 4-H clubs, school and college sponsored classes and programs and operators, instructors and promoters of livestock facilities including, but not limited to, fairs and arenas at which the activity is held.

(4) "Livestock professional" means a person engaged for compensation in:

(a) Instructing a participant or renting livestock to a participant; or

(b) Renting equipment to a participant.

(5) "Participant" means any person, whether amateur or professional, who directly engages in a livestock activity, whether or not a fee is paid to participate in the livestock activity.

[(6-2901) 6-2801, added 2010, ch. 138, sec. 1, p. 292; am. and redesignig. 2011, ch. 151, sec. 5, p. 415.]

6-2902. LIMITATION OF LIABILITY ON LIVESTOCK ACTIVITIES. (1) Except as provided in subsections (2) and (3) of this section, a livestock activity sponsor or a livestock professional shall not be liable for any injury to or the death of a participant or livestock engaged in a livestock activity and, except as provided in subsections (2) and (3) of this section, no participant nor participant's representative may maintain an action against or recover from a livestock activity sponsor or a livestock professional for an injury to or the death of a participant or livestock engaged in a livestock activity.

(2) The provisions of this chapter do not apply to the horse or mule racing industry as regulated in chapter 25, title 54, Idaho Code, or to equines regulated in chapter 18, title 6, Idaho Code.

(3) Nothing in subsection (1) of this section shall prevent or limit the liability of a livestock activity sponsor or a livestock professional:

(a) If the livestock activity sponsor or the livestock professional:

(i) Provided equipment and the equipment caused the injury;

(ii) Provided the livestock and failed to make reasonable and prudent efforts to determine the ability of the participant to engage safely in the livestock activity, determine the ability of the livestock to behave safely with the participant, and to determine the ability of the participant to safely manage the particular livestock;

(iii) Owns, leases, rents or otherwise is in lawful possession and control of the land or facilities upon which the participant or

livestock sustained injuries because of a dangerous latent condition which was known to or should have been known to the livestock activity sponsor or the livestock professional and for which warning signs have not been conspicuously posted;

(iv) Commits an act or omission that is unreasonable or willfully disregards the safety of the participant or livestock and that act or omission caused the injury; or

(v) Intentionally injures the participant or livestock;

(b) Under liability provisions as set forth in the products liability laws; or

(c) Under the liability provisions set forth in chapter 9, title 6, Idaho Code.

[(6-2902) 6-2802, added 2010, ch. 138, sec. 1, p. 292; am. and re-desig. 2011, ch. 151, sec. 6, p. 416.]