

Legislative Analysis



CHILDREN'S ACTIVITIES: ALLOW PARENT TO WAIVE LIABILITY FOR INJURIES TO CHILD

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4970

Sponsor: Rep. John Walsh

Committee: Judiciary

Complete to 8-14-09

A SUMMARY OF HOUSE BILL 4970 AS INTRODUCED 5-19-09

Under the bill, parents or guardians could sign a written waiver releasing certain individuals from liability should their child suffer an injury while participating in a recreational activity.

Specifically, House Bill 4970 would add a new section to the Estates and Protected Individuals Code (EPIC) that would allow a parent or guardian of a minor who participated in recreational activity to sign a written waiver releasing a person from liability for economic or noneconomic damages for personal injury sustained by the minor as a result of the activity. The waiver or release could be signed by the parent or guardian in advance of the activity. The waiver could release from liability a sponsor or organizer of the recreational activity or an owner or lessee of the property on which the recreational activity occurred.

MCL 700.5109

FISCAL IMPACT:

House Bill 4970 would have an indeterminate, but likely positive, fiscal impact on the judicial branch. Any fiscal impact would depend on the amount of litigation avoided due to the waiver of claims of liability.

Legislative Analyst: Susan Stutzky

Fiscal Analyst: Ben Gielczyk

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.