

**EQUINE ACTIVITY LIABILITY STATUTES: SUMMARY OF COVERAGE**  
**LEGEND: RED (State lacks EALA statute) YELLOW (State allows actions for general negligence)**

STATE	STATUTE NUMBER	SIGN REQUIRED	SPECIFIC CONTRACT LANGUAGE REQD.	DOES NOT COVER	NOTES
ALABAMA	AL ST §6-5-337 (1993); Amended (2004)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Includes vet and farrier activities as Equine Activity; includes Vet as equine professional; broad description of Equine Activities
ALASKA	AK ST §09.65.145; AK ST §09.65.290 (2003)	No	No	Gross negligence or reckless or intentional misconduct; known provision of faulty tack; mismatching horse and rider; workers compensation injuries; product liability actions.	May use contract to waive all damage liability; does not include vet / farrier work as "livestock activity"; does include "inspecting" livestock as "livestock professional"; does not define vet or farrier as "livestock professional".
ARIZONA	AZ ST § 12-553 (1994) Amended (1998)	No	Yes *	Gross negligence; willful, wanton or intentional acts or omissions. Failure to warn of known latent dangers on property;	* Requires written liability waiver identifying "inherent risks" of activity and waiving liability for same; does not cover vet/farrier.
ARKANSAS	Ark. Stat. Ann. § 16-120-201, et seq. (1997)	Yes	No	* Note: Verify this statute. Conflict with AnimalLaw site	Applies only to equine sponsors or employees of equine sponsors; applies to equines only.
CALIFORNIA	No EALA Statute in California	NA	NA	NA	NA
COLORADO	CO ST § 13-21-119 (1990); Amended 1992	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Covers equines and llamas; defines vet and farrier work as equine activity; does not include vet or farrier as equine professional
CONNECTICUT	CT ST § 52-557p (1958); Amended (1993)	No	No	Ordinary negligence of "person providing the horse", or failure to warn of dangerous condition.	Extremely brief statute with no definitions; unclear whether it applies to vets and farriers.
DELAWARE	DE ST § TI 10 § 8140 (1995)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Vet / farrier included as "equine activity"; vet / farrier not included as "equine professional"
FLORIDA	FL ST § 773.01 - 773.05 (1993); Amended (2000)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; negligent or "willful or wanton disregard; or intentional injury.	Vet/Farrier included as "equine activity"; vet/farrier not included as "equine professional". Statute dovetails with Recreational Land Use Liability Limitations statute.
GEORGIA	GA ST § 4-12-1-5 (1991); Amended 1995	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Applies to llamas and equines; defines vet/ farrier work as Equine Activity; Defines vet as Equine Professional
HAWAII	HI ST § 663B-1; B2 (1994)	No	No	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; negligent failure to supervise; acts of "willful or wanton disregard; or intentional injury.	Defines farrier work as Equine Activity but not vet; Farrier / Vet not included as "equine professional". Statute unique in providing a "rebuttable presumption of no liability" arising from negligence of equine professional.
IDAHO	ID ST § 6-1801-1802 (1990); Amended (1998)	No	No	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Does not include vet/farrier as equine activity; does not include vet / farrier as equine professional
ILLINOIS	IL ST CH § 745 47/1 (1995)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury; product liability laws or liability provisions under the Fence Act.	Includes vet and farrier as Equine Activity; does not include vet/farrier as Equine Professional; defines elements required for valid liability waiver
INDIANA	IN ST § 34-31-5-1 through 5 (1998)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Includes Farrier as Equine Activity but not vet; does not include vet / farrier as Equine Professional.
IOWA	IA ST § 673.1 673.5 (1997); Amended (1998)	Yes	Yes	Provision of faulty equipment or tack; failure to warn of known latent dangers on property; injuries occurring in a spectator area; intentional, reckless acts or while under influence of alcohol or drugs.	Applies to domestic animals; Includes vet/farrier as "Domestic Animal Activity"; does not include vet/farrier as "domestic animal professional"; Different disclaimer reqd. for contracts; "Bovine, swine, sheep, goat, domesticated deer, llama, poultry, rabbit, horse, pony, mule, jenny, donkey, or hinny."
KANSAS	KS ST § 60-4001-4004 (1994); Amended (2001)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; negligence of professional or acts of "willful or wanton disregard; or intentional injury.	Applies to "domestic animals"; includes farrier as "domestic animal activity" but not vet; does include farrier as "domestic animal professional"; does not include vet as "domestic animal professional"
KENTUCKY	KY ST §247.401 - 407 (1996)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; negligence of professional or acts of "willful or wanton disregard; or negligent or wrongful injury of participant; fence laws.	Applies to "farm animals"; Includes vet/farrier work as "farm animal activity"; Includes Vet/Farrier as "Farm Animal Professional"; includes domestic cattle, oxen, sheep, swine, goats, horses, ponies, mules, donkeys, hinnies, raites and poultry.
LOUISIANA	LA R.S. §9:2795.1; LA R.S. 9:2795.3 (1992); Amended 2006	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Applies to Farm Animals; Defines vet/farrier as Farm Animal Activity; Defines vet/farrier as Farm Animal Professional
MAINE	ME ST T. 7 § 4101 - 4103A	Yes *	Yes *	Provision of faulty equipment or tack; failure to warn of known latent dangers on property; reckless disregard for safety or intentional injury.	Vet included in equine activity; not defined as equine professional; *Professional has option of using either warning sign or contract but both not required
MARYLAND	No EALA statute in Maryland	NA	NA	NA	NA

MASSACHUSETTS	MA ST 128 § 2D (1992)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; reckless disregard for safety or intentional injury.	Defines farrier/vet work as Equine Activity; does not define vet/farrier as Equine Professional.
MICHIGAN	MCLA 691.1661-1667 (1995)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; commits negligent act or omission.	Defines "farrier" as Equine Activity; does not define Vet or Farrier as equine professional.
MINNESOTA	MN ST § 604A.12	Yes	No	Mismatching horse and rider; provision of faulty tack; failure to warn of known latent dangers on property; Sponsor fails to comply with notice requirements of Act; or willful or negligent acts or omissions.	Defines farrier as Livestock Activity; does not define Farrier / Vet as Livestock Activity; Act only applies to Livestock "Sponsors"; does not define Livestock Professional.
MISSISSIPPI	MS ST § 95-11-1 - 7 (1994); amended 2003	Yes	Yes	Provision of faulty equipment or tack; mismatching horse to rider; failure to warn of known latent dangers on property; acts of "willful or wanton disregard; or intentional injury.	Defines farrier/vet work as Equine Activity; Defines vet as equine professional;
MISSOURI	MO ST § 537.325 (1994)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful or wanton disregard; intentional injury; or failure to use degree of care ordinarily careful and prudent person would use (ie negligence)	Defines farrier as Equine Activity; does not define vet / farrier as Equine Professional
MONTANA	MT ST §27-1-725 - 728 (1993)	No	No	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; intentional injury; or products liability action.	Defines vet/ farrier work as Equine Activity; Defines farrier/vet as Equine Professional
NEBRASKA	NE ST § 25-21, 249- 253 (1997), Amended 2002	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful or wanton disregard; intentional injury; or failure to use degree of care ordinarily careful and prudent person would use (ie negligence); product liability laws.	Liable for Ordinary Negligence; Defines farrier work as Equine Activity; Equine definition includes llamas.
NEVADA	No EALA Statute in Nevada	NA	NA	NA	NA
NEW HAMPSHIRE	N.H. Stat. § 508.19 (1999)	No	No	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard;or intentional injury.	Engages in an equine activity or equine activity includes vet/farrier work; Vet/farrier not defined as equine professional
NEW JERSEY	N.J. Stat. § 5:15- - 12 (1998)	Yes	No	Knowing provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; negligent disregard; or intentional injury.	Vet/farris defined as equine animal activity; no definition of equine professional. Requires written report to equine "operator" of details of incident, within 180 days of incident; as a condition precedent to filing suit;
NEW MEXICO	NM ST §42-13-1 - 5	Yes	No	Knowing provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; conscious or reckless disregard;or intentional injury.	Liable for Ordinary Negligence; Limits liability only to rider, operator, owner, trainer or promoter
NEW YORK	No EALA Statute in New York	NA	NA	NA	NA
NORTH CAROLINA	NC ST S §99E-1 (1998)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful or wanton disregard; intentional injury; negligence or product liability. prudent person would use (ie negligence); product liability laws.	May cover vet/farrier where "equine activity" defined as any activity involving an equine; "equine professional" includes vet/farrier.
NORTH DAKOTA	ND ST §53-10-01 (1991), Amended 1993	No	No	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; intentional injury or product liability law.	Limits liability only for sponsors/professionals; definitions do not define vet/farrier as equine activity or as professional.
OHIO	OH ST §2305.321 (1997)	No	Yes	Knowing provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful or wanton disregard; or intentional injury.	Defines farrier/vet work as Equine Activity; Defines vet as Equine Professional; statute specifically limits farrier liability; Written waiver required; Equine definition includes zebra, zebra hybrid or alpaca
OKLAHOMA	OK ST T. 76 §50.1 - 50.4	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; intentional injury , product liability law, or if death results.	Defines farrier as Equine Activity; does not define vet / farrier as Equine Professional
OREGON	OR ST §30.687 - 697 (1991), Amended 1995	No	Yes	Willful or wanton disregard; intentional injury; products liability, or injury/death arising from negligence.	Written waiver required; special section pertaining specifically to vets/farriers; applies to adults only.
PENNSYLVANIA	PA ST 4 P.S. §601-606 (2005)	Yes	No	Does not define; statute does not "affect common law"; ie standard principals of negligence.	Farrier defined as equine activity; does not define equine professional
RHODE ISLAND	RI ST §4-21-1 thru 4 (1993) amended 1998	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; or intentional injury .	Liable for ordinary negligence;Defines farrier/vet work as Equine Activity; Different disclaimer for contracts; Broadly defines "Domestic Animal"
SOUTH CAROLINA	SC ST §47-9-710 - 730 (1993)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; or intentional injury .	Defines vet/farrier work as Equine Activity;Defines vet as Equine Professional;
SOUTH DAKOTA	SD ST §42-11-1 - 5 (1993)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; or intentional injury .	Defines farrier work as Equine Activity; Statute immunity provided broadly and specifically to vets but not farriers
TENNESSEE	TN ST §44-20-101 - 105 (1992)	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; or intentional injury . product liability or trespass.	Defines farrier work as Equine Activity; Statute immunity applied broadly
TEXAS	TX CIV PRAC & REM §87.001 - 005 (1995); amended 2001.	Yes	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; wilful, or wanton disregard; or intentional injury . product liability or trespass.	Defines farrier work as Equine Activity;Statute immunity applied broadly
UTAH	UT ST §78-27b-101; renumbered as 78B-201 (2008)	No	No	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; negligence; gross negligence; or wilful or wanton disregard or intentional injury .	Liable for Ordinary Negligence; Immunity limited to Sponsor or Professional; "livestock activity" includes farrier but not vet; "Livestock professional" does not include farrier or vet; "Equine" means any member of the equidae family
VERMONT	VT ST 12 § 1039 (1996)	Yes	Yes	Does not apply to those risks which are not necessary to the equine activity or obvious to the person injured.	Liable for Ordinary Negligence; Statute immunity to all "persons" but definition omits vets/farriers from equine activity

<b>VIRGINIA</b>	VA ST 3.2-6302 (1991); amended 2008	No	Yes	Knowing provision of faulty equipment or tack; intentional injury; negligence unless waived.	Liable for Ordinary Negligence; Immunity limited to Sponsor or Professional; requires written waiver; defines vet/farrier as equine activity but not equine professional.
<b>WASHINGTON</b>	WA ST 4.24.530 - 540 (1989)	No	No	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; willful, or wanton disregard; or intentional injury , product liability.	Limits liability only for sponsors/professionals; does not define vet/farrier as equine activity or equine professional.
<b>WEST VIRGINIA</b>	WV ST 20-4-1 - 7 (1990)	No	Yes	Provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; gross negligence; or intentional injury.	Statute limited to "Horsemen"; Definition does not include vet/farrier; Requires written waiver; requires mandatory insurance by Horsemen; Equine broadly defined.
<b>WISCONSIN</b>	WI ST 895.481 (1996); amended 2002.	Yes	Yes	Knowing provision of faulty equipment or tack; mismatching horse and rider; failure to warn of known latent dangers on property; willful or wanton disregard; or intentional injury.	Defines farrier/vet work as Equine Activity; ;Statute broadly applied.
<b>WYOMING</b>	Wyo. Stat. § 1-1-121, et seq. (1996)	No	No	No exceptions for any acts of negligence	Liable for Ordinary Negligence; Defines farrier work as Equine Activity; statute is broad recreational activity assumption of risk statute which includes horseback riding plus other recreational activities

**CITATION REFERENCES:**

State Statutes as noted above

Fershtman, Julie, Summary of EALA State Statutes 1998, prepared for American Equine Insurance Group presentation

Centner, Terence, J., "The New Equine Liability Statutes", 62 TENN.L.REV. 997 (Summer 1995)

Farris Law Firm, L.L.C. 324 E. 11th Street, Kansas City, MO 64106 "Equine Activity Liability Statutes" (Oct. 1998)

[www.animallaw.info/statutes \(2008\)](http://www.animallaw.info/statutes (2008))

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