

HB 1190 -- BUSINESS PREMISES SAFETY ACT

SPONSOR: Rhoads

This bill clarifies that business owners, operators, merchants, and shopkeepers do not have a duty to guard against the criminal acts or harmful acts of a third party unless they know or have reason to know that the acts are being committed or are about to be committed by an identifiable person in a particular area of the premises and that such acts pose an imminent probability of injury to another identifiable person and sufficient time exists to prevent such injury. Even under such circumstances, a business that has substantially implemented reasonable security measures shall not be liable for damages; a business shall not be liable for damages if a claimant was a trespasser, under the influence of alcohol with a blood-alcohol content of .08% or more, illegally under the influence of a controlled substance, attempting to commit a felony, or engaged in the commission of a felony.

This bill is similar to HB 2560 (2016).