

Do You Know About

The Agritourism Promotion Act

Learn How This Law Will Help Protect Your Farm and Agritourism Business

Missouri Farm Bureau (MFB) recognizes the importance of agritourism to farmers and ranchers seeking additional revenue sources and the general public as a way of connection to agriculture for entertainment, educational and nostalgic purposes.

The Agritourism Promotion Act establishes a layer of inherent risk liability protection for agritourism operators via a signage and registration process.

Specifically, the Agritourism Promotional Act:

(1) Defines “agritourism activity” as any activity which allows the general public for recreational, entertainment, or educational purposes to view or enjoy rural activities including, but not limited to, farming and ranching activities or historic, cultural, or natural attractions;

(2) Defines “inherent risks of a registered agritourism activity” as dangers or conditions which are an integral part of an agritourism activity including the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others;

(3) Allows any person who is engaged in a business providing an agritourism activity to register with the Director of the Department of Agriculture as an AgriMissouri member;

(4) Requires every registered agritourism operator to post and maintain signage at the agritourism location which contains a specified warning notice that there is no liability for certain injuries or the death of a participant in a registered agritourism activity;

(5) Specifies that a registered agritourism operator is not liable for an injury to or the death of a participant resulting from the inherent risks of agritourism activities if the warning is posted as required unless the injury to the participant was by the operator’s willful or wanton conduct, the operator had actual knowledge or should have known of a dangerous condition and does not make the dangerous condition known to a participant and the dangerous condition causes the participant to sustain injuries or the operator fails to use that degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances; and

(6) Specifies that the operator has an affirmative defense to the liability if the injured person assumed the risk; deliberately disregarded conspicuously posted signs, verbal

instructions, or other warnings regarding safety measures during the activity; or if any equipment, animals, or appliances used by the injured person during the activity were used in a manner or for a purpose other than that for which a reasonable person should have known they were intended.

In order to take advantage of the liability benefits of the Agritourism Promotional Act a person engaged in agritourism activities must:

- (a) Register with the Missouri Department of Agriculture's AgriMissouri program. There is an annual registration fee of \$50. Additional information and online registration is available by using the following link <https://agrimissouri.com/join>.
- (b) Agritourism operators must post a specified warning notice sign with the exact language as stated in the Agritourism Promotion Act.

MFB is making available an attractive three color, weather resistant 22 x 28 warning notice sign with the specified language. For Farm Bureau members the cost of the sign is \$8.00 plus sales tax and shipping. Farm Bureau will invoice you by email once the cost of shipping has been determined. A copy of the warning sign is attached for your viewing.

If an agritourism operator is not a MFB member the sign will cost \$8.00 plus sales tax and shipping and a \$30 membership fee.

If you have questions about the Agritourism Promotional Act or would like to order a sign(s) please contact Davin Athloff at 573-893-1416 or by email at davin.althoff@mofb.org