

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 1062*

Short Title: Limit Farmer Liability.

(Public)

Sponsors: Senators Speed; Soles, Parnell, Marvin, Plyler, Martin of Pitt, Warren, Shaw, Lee, Walker, Sands, Perdue, Conder, Daniel, Martin of Guilford, Daughtry, Richardson, Carpenter, and Bryan.

Referred to: Agriculture, Marine Resources, and Wildlife.

June 1, 1992

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE LIABILITY OF FARMERS WHO ALLOW GLEANING.

The General Assembly of North Carolina enacts:

Section 1. Chapter 106 of the General Statutes is amended by adding a new Article to read:

“ARTICLE 67.

"CIVIL LIABILITY.

"§ 106-797. Exemption from civil liability for farmers permitting gleaning.

Any farmer who gratuitously allows persons to enter upon his own land for purposes of removing any crops remaining in his fields following the harvesting of the crops, shall be exempt from civil liability arising out of any injury to a person or property resulting from the nature or condition of such land or the nature, age, or condition of any such crop. However, the exemption of this section shall not apply if the injury directly results from the gross negligence or intentional act of the farmer."

Sec. 2. This act becomes effective upon ratification.