

CIVIL PRACTICE AND REMEDIES CODE

TITLE 4. LIABILITY IN TORT

CHAPTER 75C. LIMITED LIABILITY FOR CAVERN ACTIVITIES

Sec. 75C.001. DEFINITIONS. In this chapter:

(1) "Cavern activity" means an activity inside a cavern at a cavern area for recreational or educational purposes.

(2) "Cavern activity participant" means an individual, other than an employee of a cavern entity, who engages in a cavern activity.

(3) "Cavern activity participant injury" means an injury sustained by a cavern activity participant, including bodily injury, emotional distress, death, property damage, or any other loss arising from the person's participation in a cavern activity.

(4) "Cavern area" means a commercial property with a natural cavern designed to provide cavern access for cavern activities.

(5) "Cavern entity" means a person engaged in the business of owning or operating a cavern area.

Added by Acts 2025, 89th Leg., R.S., Ch. 264 (H.B. [1130](#)), Sec. 1, eff. May 29, 2025.

Sec. 75C.002. LIMITED LIABILITY. (a) Except as provided by Subsection (b), a cavern entity is not liable to any person for a cavern activity participant injury or damages arising out of a cavern activity participant injury if, at the time of the cavern activity participant injury, the warning prescribed by Section [75C.003](#) was posted in accordance with that section.

(b) This section does not limit liability for an injury:

(1) proximately caused by:

(A) the cavern entity's negligence with regard to the safety of the cavern area or cavern activity participant;

(B) a potentially dangerous condition at the cavern area, including inside the cavern at the cavern area, of which the cavern entity knew or reasonably should have known; or

(C) the cavern entity's failure to train or improper training of an employee of the cavern entity actively

involved in the cavern area or a cavern activity; or

(2) intentionally caused by the cavern entity.

(c) A limitation on liability provided by this section to a cavern entity is in addition to other limitations of liability.

Added by Acts 2025, 89th Leg., R.S., Ch. 264 (H.B. [1130](#)), Sec. 1, eff. May 29, 2025.

Sec. 75C.003. POSTED WARNING. For the purposes of limitation of liability under Section [75C.002\(a\)](#), a cavern entity must post and maintain a sign in a clearly visible location at each entrance to a cavern at a cavern area. The sign must contain the following language:

WARNING

TEXAS LAW (CHAPTER 75C, CIVIL PRACTICE AND REMEDIES CODE) LIMITS
THE LIABILITY OF A CAVERN ENTITY FOR INJURIES OR DEATH OF A CAVERN
ACTIVITY PARTICIPANT RESULTING FROM A CAVERN ACTIVITY.

Added by Acts 2025, 89th Leg., R.S., Ch. 264 (H.B. [1130](#)), Sec. 1, eff. May 29, 2025.