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SENATE MEMORIAL
55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022
INTRODUCED BY
Crystal R. Diamond

A MEMORIAL
REQUESTING CERTAIN STATE AGENCIES TO DETERMINE POTENTIAL
ACTIONS TO FACILITATE INSURANCE COVERAGE FOR AGRITOURISM
ACTIVITIES.

WHEREAS, the general public has limited access to farms
and ranches, and agritourism provides a hands-on approach to
learning about agriculture and where food originates; and

WHEREAS, a strong agritourism sector will strengthen and
diversify the agricultural industry and allow producers to
expand their operations, thereby making them more resilient;
and

WHEREAS, agritourism supports locally grown food and
facilitates connecting consumers with producers; and

WHEREAS, agritourism activities supplement outdoor
classrooms and provide experiences helping to meet the

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1 requirements of the common core curriculum; and

2 WHEREAS, agricultural operations have increasingly
3 expanded their scopes of business to include tourist-related
4 activities such as "u-pick" harvesting, petting zoos and corn
5 mazes in order to diversify their business models and assist
6 with revenue generation; and

7 WHEREAS, according to the 2017 census of agriculture,
8 nationwide agritourism revenue grew from seven hundred four
9 million dollars (\$704,000,000) in 2012 to nine hundred fifty
10 million dollars (\$950,000,000) in 2017, and agritourism is
11 expected to continue to grow; and

12 WHEREAS, according to the 2017 census of agriculture, New
13 Mexico farms had four hundred sixty-five agritourism and
14 recreational services that generated over eighteen million five
15 hundred thousand dollars (\$18,500,000); and

16 WHEREAS, responsible business practices for agricultural
17 operations include obtaining liability insurance that covers
18 activities by individuals participating in agritourism
19 activities; and

20 WHEREAS, insurance companies currently require
21 agricultural operations to obtain expensive amusement park or
22 fair insurance coverage for agritourism activities; and

23 WHEREAS, it would be beneficial if insurance companies
24 could underwrite insurance coverage specifically written to
25 cover agritourism activities; and

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1 WHEREAS, thirty-seven states have enacted statutes
2 regarding agritourism activities; and

3 WHEREAS, New Mexico has enacted statutes providing for
4 limited liability for operators engaged in equine activities
5 and alpine skiing activities;

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
7 OF NEW MEXICO that the New Mexico department of agriculture,
8 the economic development department and the tourism department
9 be requested to compile a current inventory of agritourism
10 business in New Mexico and a current estimate of the value of
11 agritourism as a part of tourism in New Mexico; and

12 BE IT FURTHER RESOLVED that the New Mexico department of
13 agriculture be requested to conduct a survey of what other
14 states have done to provide limited liability for agritourism
15 activities; and

16 BE IT FURTHER RESOLVED that the office of superintendent
17 of insurance be requested to conduct a survey of what other
18 states have done to provide affordable liability insurance for
19 agritourism activities; and

20 BE IT FURTHER RESOLVED that the office of superintendent
21 of insurance be requested to investigate actions that may be
22 taken by the state to facilitate the provision of accessible
23 and affordable liability insurance for agritourism activities;
24 and

25 BE IT FURTHER RESOLVED that the New Mexico department of

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1 agriculture, the economic development department, the office of
2 superintendent of insurance and the tourism department be
3 requested to report their findings and recommendations to the
4 appropriate interim legislative committees by September 30,
5 2022; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the governor, the director of the New Mexico
8 department of agriculture, the secretary of economic
9 development, the secretary of tourism and the superintendent of
10 insurance.