

SB 327 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Meeting Dates: 4/6

WHAT THE MEASURE DOES:

Extends recreational immunity to employees, agents and volunteers of land owner when acting within scope of duties and certain others with an ownership interest in an entity that is a land owner. Eliminates any duty of care to maintain land for entry or use by others when land used for certain purposes. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Removes provision eliminating duty of care to maintain land.

REVENUE: Minimal impact

FISCAL: Indeterminate impact

BACKGROUND:

Senate Bill 327 modifies the definition of owner for purposes of civil liability of land used by the public for recreational purposes. Owner would include the holder of any legal or equitable title, officers, employees, volunteers or agent's of possessors of any interest in land while these persons are acting within the scope of assigned duties, and the director, partner, general partner, shareholder, limited liability company member, limited liability partner or limited partner of possessors of any interest in land. SB 327 also eliminates any duty of care to maintain land to be safe for entry or use by others, or to give any warning of dangerous conditions on land for a land owner. It specifies the types of land that this duty of care does not apply to, such as land used for recreational purposes without charge.