

House Bill 2468

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Immunizes landowner from claims by invitees, guests, permittees and licensees who, free of most charges, use the land for certain recreational, resource and outdoor purposes.

A BILL FOR AN ACT

1
2 Relating to landowner liability to certain additional classes of persons; amending ORS 105.676 and
3 105.682.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 105.676 is amended to read:

6 105.676. [*The Legislative Assembly hereby declares*] It is the public policy of the State of Oregon
7 to encourage owners of land to make their land available [*to the public*] for recreational purposes,
8 for gardening, for woodcutting and for the harvest of special forest products by limiting [*their*]
9 **owners'** liability toward persons entering [*thereon*] **their land** for such purposes and by protecting
10 [*their*] **owners'** interests in their land from the extinguishment of any such interest or the acqui-
11 sition by the public of any right to use or continue the use of such land for recreational purposes,
12 gardening, woodcutting or the harvest of special forest products.

13 **SECTION 2.** ORS 105.682 is amended to read:

14 105.682. (1) Except as provided by subsection (2) of this section[,] and subject to the provisions
15 of ORS 105.688, an owner [*of land*] is not liable in contract or tort for any personal injury, death
16 or property damage that arises out of the use of the **owner's** land for recreational purposes, gar-
17 dening, woodcutting or the harvest of special forest products when the owner [*of land*] either di-
18 rectly or indirectly permits any person, **including any invitee, guest, permittee or licensee, and**
19 **without regard to whether the use is available to the general public,** to use the land for rec-
20 reational purposes, gardening, woodcutting or the harvest of special forest products. The limitation
21 on liability provided by this section applies if the principal purpose for entry upon the land is for
22 recreational purposes, gardening, woodcutting or the harvest of special forest products, and is not
23 affected if the injury, death or damage occurs while the person entering land is engaging in activ-
24 ities other than the use of the land for recreational purposes, gardening, woodcutting or the harvest
25 of special forest products.

26 (2) This section does not limit the liability of an owner [*of land*] for intentional injury or damage
27 to a person [*coming onto*] **entering** land for recreational purposes, gardening, woodcutting or the
28 harvest of special forest products.
29

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.