

House Bill 4076

Sponsored by Representative GOMBERG (Pre-session filed.)

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**.

Grants immunity to owners of coastal lands for use of or entry upon lands for recreational purposes.

A BILL FOR AN ACT

Relating to recreational immunity of owners of coastal lands.

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

SECTION 1. Section 2 of this 2022 Act is added to and made a part of ORS 390.620 to 390.676.

SECTION 2. (1) As used in this section, "land," "owner" and "recreational purposes" have the meanings given those terms in ORS 105.672.

(2) An owner of land is not liable in contract or tort for any personal injury, death or property damage that arises out of an entry upon or use of the land for recreational purposes if the land is ocean shore or tidal submerged lands, as defined in ORS 274.705.

(3) Except as specifically provided in this section, the immunity provided in this section applies on all roads, bodies of water, watercourses, rights of way, buildings, fixtures and structures on the land described in subsection (2) of this section.

(4) This section does not limit the liability of the owner of land for:

(a) Intentional injury or damages.

(b) Injury from improvements upon the ocean shore for which the owner was required to obtain a permit under ORS 390.650, if:

(A) The owner did not obtain the permit; or

(B) The owner allowed the permit to be revoked, suspended or not renewed under ORS 390.666.

(5) This section does not relieve a person using the land of another for recreational purposes from an obligation that the person has to exercise care in use of the land in the activities of the person or from the legal consequences of failure of the person to exercise that care.

(6) The immunity granted under this section is in addition to and does not limit any immunity that an owner of land may have under ORS 105.682.

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.