



From the Desk of
Rep. Kevin L. Mannix

Kevin L. Mannix

Enrolled
House Bill 2296

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Representative Kevin Mannix)

CHAPTER **00456**

AN ACT

Relating to land; creating new provisions; amending ORS 105.699; and repealing ORS 105.655, 105.660, 105.665, 105.670, 105.675, 105.677, 105.680, 105.685, 105.687, 105.689, 105.691, 105.693, 105.695 and 105.697.

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

SECTION 1. As used in sections 1 to 6 of this Act:

- (1) "Charge" means the admission price or fee asked by any owner in return for permission to enter or go upon the owner's land.
- (2) "Harvest" has that meaning given in ORS 164.813.
- (3) "Land" includes all real property, whether publicly or privately owned.
- (4) "Owner" means the possessor of any interest in any land, including but not limited to possession of a fee title. "Owner" includes a tenant, lessee, occupant or other person in possession of the land.
- (5) "Recreational purposes" includes, but is not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, outdoor educational activities, water skiing, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project.
- (6) "Special forest products" has that meaning given in ORS 164.813.
- (7) "Woodcutting" means the cutting or removal of wood from land by an individual who has obtained permission from the owner of the land to cut or remove wood.

SECTION 2. The Legislative Assembly hereby declares it is the public policy of the State of Oregon to encourage owners of land to make their land available to the public for recreational purposes, for woodcutting and for the harvest of special forest products by limiting their liability toward persons entering thereon for such purposes and by protecting their interests in their land from the extinguishment of any such interest or the acquisition by the public of any right to use or continue the use of such land for recreational purposes, woodcutting or the harvest of special forest products.

SECTION 3. (1) Except as provided by subsection (2) of this section, and subject to the provisions of section 4 of this Act, an owner of land is not liable in contract or tort for any personal injury, death or property damage that arises out of the use of the land for recreational purposes, woodcutting or the harvest of special forest products when the owner of land either directly or indirectly permits any person to use the land for recreational purposes, woodcutting or the harvest of special forest products. The limitation on liability provided by this section applies if the principal purpose for entry upon the land is for recreational purposes, woodcutting or the harvest of special forest products, and is not affected if the injury, death or damage occurs while the person entering land is engaging in

*now
ORS
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This floor letter is in regard to SB 1576. Please note the statement of legislative intent which we enacted back in 1995. I will address this in my remarks on the Floor.

Kevin L. Mannix