

Committee on Environmental Preservation And Conservation

CS/CS/HB 313 — Premises Liability

by Judiciary Committee; Agriculture and Natural Resources Subcommittee; and Rep. Bembry and others (CS/CS/SB 802 by Budget Subcommittee on General Government Appropriations; Judiciary Committee; and Environmental Preservation and Conservation)

The bill allows private property owners who provide outdoor recreational opportunities on their properties to enter into written agreements with the state, as opposed to formal leases, and still receive the benefit of the limitation of liability.

The bill also provides limitation of liability protection to private property owners who make their properties available to specific persons, as opposed to “the public,” for the purpose of hunting, fishing or wildlife viewing. To limit liability, the landowner must provide notice of the liability limits to the person or persons using the land. The property owner must not derive any profit from patronage of the property for outdoor recreational purposes; however, reimbursement of reasonable costs and expenses may be included in the agreement.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 38-1; House 116-0