

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2756 Session of
1986

INTRODUCED BY SIRIANNI, TIGUE, HALUSKA, ANGSTADT, PETRONE,
RAYMOND, CHADWICK, STABACK, HERMAN, MORRIS, SEMMEL, HASAY,
FARGO, CIMINI, FLICK, FOX, E. Z. TAYLOR, DEAL, WOZNIAK AND
LANGTRY, SEPTEMBER 24, 1986

REFERRED TO COMMITTEE ON CONSERVATION, SEPTEMBER 24, 1986

AN ACT

1 Amending the act of February 2, 1966 (1965 P.L.1860, No.586),
2 entitled "An act encouraging landowners to make land and
3 water areas available to the public for recreational purposes
4 by limiting liability in connection therewith, and repealing
5 certain acts," further defining and providing for the
6 liability of landowners.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 2 and 4 of the act of February 2, 1966
10 (1965 P.L.1860, No.586), entitled "An act encouraging landowners
11 to make land and water areas available to the public for
12 recreational purposes by limiting liability in connection
13 therewith, and repealing certain acts," are amended to read:

14 Section 2. As used in this act:

15 (1) "Land" means land, roads, water, watercourses, private
16 ways and buildings, structures and machinery or equipment when
17 attached to the realty.

18 (2) "Owner" means the possessor of a fee interest, a tenant,
19 lessee, occupant or person in control of the premises. The term

includes the Commonwealth, any of its departments, agencies or commissions and political subdivisions of the Commonwealth.

(3) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, water sports, white water canoeing or rafting, and viewing or enjoying historical, archaeological, scenic, or scientific sites.

(4) "Charge" means the admission price or fee asked in return for invitation or permission to enter or go upon the land.

Section 4. Except as specifically recognized by or provided in section 6 of this act, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

(1) Extend any assurance that the premises are safe for any purpose.

(2) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.

(3) Assume responsibility for or incur liability for any injury to persons or property caused by an act of omission of such persons.

(4) Assume responsibility for or incur liability for any injury to persons or property caused by an usual, accepted risk involved in the recreational activity.

Section 2. The provisions of 42 Pa.C.S. Ch. 85 (relating to matters affecting government units) are repealed insofar as those provisions are inconsistent with the provisions of this act.

Section 3. This act shall take effect in 60 days.