



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 544

PRINTERS NO. 4273

PRIME SPONSOR: Moul

### COST / (SAVINGS)

| FUND         | FY 2017/18 | FY 2018/19 |
|--------------|------------|------------|
| General Fund | \$0        | \$0        |

**SUMMARY:** House Bill 544, Printer's Number 4273, addresses the issue of recreational use and liability to protect landowners in the event of injuries to recreational users.

**ANALYSIS:** This legislation amends Act 586 of 1965, which is entitled "an act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability connection...." The bill addresses and changes the act to identify recreational user as a person who enters or uses land for a recreational purpose and to limit landowner liability to recreational users and persons or property as well as acts of omission.

The definition of land is expanded to include property amenities in addition to land and water, such as buildings, structures, bridges, boat docks, launch ramps, fishing piers, paths, and paved and unpaved trails. This also includes those areas for use by recreational users with disabilities. Recreational user means a person who enters or uses land for a recreational purpose.

The term "recreational purpose" is also revised to address the additional inclusion of land amenities to include any activity for exercise, sport, education, recreation, relaxation or pleasure and...snowmobiling and all-terrain vehicle and motorcycle riding.

The definition of charge means an admission price or fee to use the land, but is amended to exclude voluntary contributions, in-kind contributions or contributions made to an owner of real property that are not retained by the owner and used exclusively for one or more of the following: conserving or maintaining the land; paying taxes on the property; or paying for liability insurance on the property.

The effective date of this legislation is 60 days after enactment.

**FISCAL IMPACT:** Enactment of this bill will have no fiscal impact on Commonwealth funds.

**PREPARED BY:** Jeffrey Clukey  
House Appropriations Committee (R)

**DATE:** October 17, 2018

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*