

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 469 Session of 2011

INTRODUCED BY ARGALL, FONTANA, ERICKSON, RAFFERTY, BOSCOLA AND VANCE, FEBRUARY 10, 2011

AS REPORTED FROM COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 8, 2012

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," providing for a short title; further providing
6 for definitions; and making editorial changes.

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

9 Section 1. Section 1 of the act of February 2, 1966 (1965
10 P.L.1860, No.586), entitled "An act encouraging landowners to
11 make land and water areas available to the public for
12 recreational purposes by limiting liability in connection
13 therewith, and repealing certain acts," amended June 30, 2007
14 (P.L.42, No.11), is repealed:

15 [Section 1. The purpose of this act is to encourage owners
16 of land to make land and water areas available to the public for
17 recreational purposes by limiting their liability.]

18 Section 2. The act is amended by adding sections to read:

1 Section 1.1. This act shall be known and may be cited as the
2 "Recreational Use of Land and Water Act."

3 Section 1.2. The purpose of this act is to encourage owners
4 of land to make land and water areas available to the public for
5 recreational purposes by limiting their liability.

6 Section 3. Section 2 of the act, amended March 26, 1992
7 (P.L.27, No.10), is amended to read:

8 Section 2. [As used in this act:] The following words and
9 phrases when used in this act shall have the meanings given to
10 them in this section unless the context clearly indicates
11 otherwise:

12 "Charge." The admission price or fee asked in return for
13 invitation or permission to enter or go upon the land.

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

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

20 [(3) "Recreational purpose" includes] "Recreational
21 purpose." The term includes, but is not limited to, any of the
22 following, or any combination thereof: hunting, fishing,
23 swimming, boating, camping, picnicking, hiking, pleasure
24 driving, nature study, water skiing, water sports, cave
25 exploration [and], viewing or enjoying historical, ←
26 archaeological, scenic, or scientific sites, ~~and walking,~~ ←
27 jogging, bicycling, exercising and horseback riding ~~on trails.~~ ←

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

1 Section 4. This act shall take effect in 60 days.