
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 977 Session of
2017

INTRODUCED BY MASSER, IRVIN, PICKETT, SONNEY, MALONEY, MILLARD,
GABLER AND ZIMMERMAN, MARCH 27, 2017

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
MARCH 27, 2017

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 providing for definitions, for
6 applicability and for liability.

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

9 Section 1. Section 2(3) 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," is amended and the
14 section is amended by adding a paragraph to read:

15 Section 2. As used in this act:

16 * * *

17 (3) "Recreational purpose" includes, but is not limited to,
18 any of the following, or any combination thereof: hunting,
19 fishing, swimming, boating, recreational noncommercial aircraft

1 operations or recreational noncommercial ultralight operations
2 on private airstrips, camping, picnicking, hiking, pleasure
3 driving, snowmobiling, all-terrain vehicle riding, motorcycle
4 riding, nature study, water skiing, water sports, cave
5 exploration and viewing or enjoying historical, archaeological,
6 scenic, or scientific sites.

7 * * *

8 (5) "Authority" means a body politic and corporate that is
9 engaged in developing, managing, maintaining or operating an
10 off-road vehicle riding area and that is created under any of
11 the following:

12 (i) The former act of June 28, 1935 (P.L.463, No.191), known
13 as the "Municipality Authorities Act of one thousand nine
14 hundred and thirty-five."

15 (ii) The former act of May 2, 1945 (P.L.382, No.164), known
16 as the "Municipality Authorities Act of 1945."

17 (iii) The provisions of 53 Pa.C.S. Ch. 56 (relating to
18 municipal authorities).

19 Section 2. Sections 5 and 6(2) of the act are amended to
20 read:

21 Section 5. Unless otherwise agreed in writing, the
22 provisions of sections 3 and 4 of this act shall be deemed
23 applicable to the duties and liability of an owner of land
24 leased to the State or any subdivision thereof or an authority
25 for recreational purposes.

26 Section 6. Nothing in this act limits in any way any
27 liability which otherwise exists:

28 * * *

29 (2) For injury suffered in any case where the owner of land
30 charges the person or persons who enter or go on the land for

1 the recreational use thereof, except that in the case of land
2 leased to the State or a subdivision thereof or an authority,
3 any consideration received by the owner for such lease or any
4 consideration received by the authority from a recreational user
5 shall not be deemed a charge within the meaning of its section.

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