
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1241 Session of
2019

INTRODUCED BY MASSER, IRVIN, ZIMMERMAN, MILLARD AND WHEELAND,
APRIL 17, 2019

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
APRIL 17, 2019

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 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 by adding a
14 paragraph to read:

15 Section 2. As used in this act:

16 * * *

17 (6) "Authority" means a body politic and corporate that is
18 engaged in developing, managing, maintaining or operating an
19 off-road vehicle riding area and that is created under any of

1 the following:

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

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

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

9 Section 2. Section 5 of the act is amended to read:

10 Section 5. Unless otherwise agreed in writing, the
11 provisions of sections 3 and 4 of this act shall be deemed
12 applicable to the duties and liability of an owner of land
13 leased to the State or any subdivision thereof or an authority
14 for recreational purposes.

15 Section 3. Section 6(2) of the act, amended October 24, 2018
16 (P.L.671, No.98), is amended to read:

17 Section 6. Nothing in this act limits in any way any
18 liability which otherwise exists:

19 * * *

20 (2) For injury suffered in any case where the owner of land
21 charges the recreational user or users who enter or go on the
22 land, except that in the case of land leased to the State or a
23 subdivision thereof or an authority, any consideration received
24 by the owner for such lease or any consideration received by the
25 authority from a recreational user shall not be deemed a charge
26 within the meaning of its section.

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