
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1694 Session of
2021

INTRODUCED BY STRUZZI, DRISCOLL, WHITE, WARREN, MILLARD,
McNEILL, ROWE, GUENST, HOHENSTEIN, SMITH, NEILSON, SANCHEZ,
RADER AND BOBACK, JUNE 24, 2021

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
JUNE 24, 2021

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 title of act, for
6 definitions, for duty to keep premises safe and warning and
7 for assurance of safe premises and duty of care and
8 responsibility and liability.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

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

16 AN ACT

17 Encouraging landowners, volunteers and volunteer organizations
18 to make land and water areas available to the public for
19 recreational purposes by limiting liability in connection
20 therewith, and repealing certain acts.

1 Section 2. Section 1 of the act is amended to read:

2 Section 1. The purpose of this act is to encourage owners of
3 land, volunteers and volunteer organizations to make land and
4 water areas available to the public for recreational purposes by
5 limiting their liability to:

6 (1) recreational users; and

7 (2) persons or property based on:

8 (i) acts of omission by landowners; or

9 (ii) acts or acts of omission by recreational users.

10 Section 3. Section 2 of the act is amended by adding
11 paragraphs to read:

12 Section 2. As used in this act:

13 * * *

14 (6) "Volunteer" means a person who, without compensation,
15 provides services to care for, enhance, preserve, restore or
16 maintain land for recreational purposes.

17 (7) "Volunteer organization" means a nonprofit organization
18 under section 501(c) (3), (4) or (6) of the Internal Revenue Code
19 of 1986 (68A Stat. 3, 26 U.S.C. § 501(c) (3), (4) or (6)) or an
20 independent, volunteer-based nonprofit organization dedicated to
21 the care, enhancement, preservation, restoration or maintenance
22 of land for a recreational purpose, including the organization's
23 officer or director in any circumstance in which the officer or
24 director is subject to personal liability as a representative of
25 the organization.

26 Section 4. Sections 3 and 4 of the act are amended to read:

27 Section 3. Except as specifically recognized or provided in
28 section 6 of this act, an owner of land, a volunteer or a
29 volunteer organization owes no duty of care to keep the premises
30 safe for entry or use by recreational users, or to give any

1 warning of a dangerous condition, use, structure, or activity on
2 such premises to recreational users.

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

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

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

12 (3) Assume responsibility for or incur liability for any
13 injury to persons or property caused by an act of omission of a
14 recreational user or landowner.

15 (4) Assume responsibility for or incur liability for any
16 injury to persons or property, wherever such persons or property
17 are located, caused while hunting as defined in 34 Pa.C.S. § 102
18 (relating to definitions).

19 Section 5. This act shall take effect in 60 days.