SENATE FILE NO. SF0115

Limiting liability of recreational landowners.

Sponsored by: Senator(s) Vasey and Case and Representative(s) Bagby and Olsen

A BILL

for

- 1 AN ACT relating to lands used for recreational purposes;
- 2 specifying user and landowner liability; and providing for
- 3 an effective date.

4

5 Be It Enacted by the Legislature of the State of Wyoming:

6

7 **Section 1.** W.S. 34-19-107 is created to read:

8

9 34-19-107. User liability for damages.

10

- 11 Any person using the land of another for recreational
- 12 purposes, with or without permission, shall be liable for
- 13 any damage to property, livestock or crops which may be
- 14 caused by the person while on the property.

15

16 **Section 2.** W.S. 34-19-105(a)(i) is amended to read:

1 SF0115

2005

1

2 34-19-105. When landowner's liability not limited.

3

4 (a) Nothing in this act limits in any way any 5 liability which otherwise exists:

6

7 (i) For willful or malicious failure to guard or warn against a dangerous condition, use, structure, or 8 9 activity, except an owner whose land is adjacent to a national scenic or national historic trail designated by 10 11 the United States congress and who has conveyed an easement 12 across its lands for purposes of a designated national 13 scenic or national historic trail shall owe no duty of care 14 to keep the adjacent lands safe or to give any warning of a dangerous condition, use, structure or activity on the 15 16 adjacent lands. The installation of a sign, other form of 17 warning or modification made to improve safety shall not create liability on the part of an owner of the adjacent 18 19 land if there is no other basis for liability;

20

21 Section 3. This act is effective July 1, 2005.

22

23 (END)

> 2 SF0115