

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; providing a
3 definition; and providing for an effective date.

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

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

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

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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.

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1 **Section 2.** W.S. 1-1-122(a)(ii) and 34-19-105(a)(i)
2 are amended to read:

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4 **1-1-122. Definitions.**

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6 (a) As used in this act:

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8 (ii) "Provider" means any person or governmental
9 entity which for profit or otherwise, offers or conducts a
10 sport or recreational opportunity. This act does not apply
11 to a cause of action based upon the design or manufacture
12 of sport or recreational equipment or products or safety
13 equipment used incidental to or required by the sport or
14 recreational opportunity. "Provider" shall not mean any
15 person, corporation or governmental entity who has provided
16 an easement across its lands for purposes of a national
17 scenic trail designated by the Unites States congress;

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

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21 (a) Nothing in this act limits in any way any
22 liability which otherwise exists:

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

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15 **Section 3.** This act is effective July 1, 2005.

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17 (END)