

SENATE FILE NO. SF0070

Landowner and lessee liability limitations.

Sponsored by: Senator(s) Driskill, Bebout, Moniz, Steinmetz
and Wasserburger and Representative(s)
Clausen, Hunt, Lindholm, Pownall, Sommers and
Walters

A BILL

for

1 AN ACT relating to recreation liability; specifying that a
2 landowner is not liable for damages or injuries to a third
3 party caused by a person using the land for recreational
4 purposes; specifying conditions under which a state lands
5 lessee is not liable to users of improvements on those lands;
6 and providing for an effective date.

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

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10 **Section 1.** W.S. 34-19-103(a)(iii), 34-19-107 and
11 36-5-117 are amended to read:

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13 **34-19-103. Limitations on landowner's liability.**

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1 (a) Except as specifically recognized by or provided in
2 W.S. 34-19-105, an owner of land who either directly or
3 indirectly invites or permits without charge any person to
4 use the land for recreational purposes or a lessee of state
5 lands does not thereby:

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7 (iii) Assume responsibility for or incur liability
8 for any injury to person or property, including to a third
9 party whether or not on the property, caused by an act ~~of~~or
10 omission of the person using the land.

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12 **34-19-107. User liability for damages.**

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14 Any person using the land of another for recreational
15 purposes, with or without permission, shall be liable for any
16 damage or injury to property, livestock or crops or to a third
17 party whether or not on the property, which may be caused by
18 the person while on the property.

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20 **36-5-117. Lessee's liability.**

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22 (a) A state lands lessee's liability to users of those
23 lands is limited as specified in W.S. 34-19-101 through

1 34-19-106. A state lands lessee's liability to users of
2 improvements upon those lands is limited to the same extent,
3 provided that:

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5 (i) The improvement has been granted permission or
6 registered under W.S. 36-5-110;

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8 (ii) The user used the improvement without
9 obtaining express written or oral permission from the lessee;
10 and

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12 (iii) The lessee did not charge the user to use
13 the improvement.

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15 **Section 2.** This act is effective July 1, 2019.

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(END)