

2017 -- H 5949

=====  
LC001295  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

—————  
A N A C T

RELATING TO PARKS AND RECREATIONAL AREAS -- PUBLIC USE OF PRIVATE  
LANDS--LIABILITY LIMITATIONS

Introduced By: Representatives Almeida, and Walsh

Date Introduced: March 17, 2017

Referred To: House Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 32-6-2 of the General Laws in Chapter 32-6 entitled "Public Use of  
2 Private Lands-Liability Limitations" is hereby amended to read as follows:

3 **32-6-2. Definitions.**

4 As used in this chapter:

5 (1) "Charge" means the admission price or fee asked in return for invitation or permission  
6 to enter or go upon the land;

7 (2) "Land" means land, roads, water, watercourses, private ways and buildings,  
8 structures, and machinery or equipment when attached to the realty;

9 (3) "Owner" means the private-owner possessor of a fee interest, or tenant, lessee,  
10 occupant, or person in control of the premises, ~~including the state and municipalities;~~

11 (4) "Recreational purposes" includes, but is not limited to, any of the following, or any  
12 combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking,  
13 horseback riding, bicycling, pleasure driving, nature study, water skiing, water sports, viewing or  
14 enjoying historical, archaeological, scenic, or scientific sites, and all other recreational purposes  
15 contemplated by this chapter; and

16 (5) "User" means any person using land for recreational purposes.

1 SECTION 2. This act shall take effect upon passage.

=====  
LC001295  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PARKS AND RECREATIONAL AREAS -- PUBLIC USE OF PRIVATE  
LANDS--LIABILITY LIMITATIONS

\*\*\*

1           This act would change the definition of "owner" to exclude the state and municipalities  
2 for the purposes of liability limitations relating to public use of private lands. This limitation of  
3 liability for the landowners is set forth in §32-6-3, which section is set forth below.

4           **32-6-3. Liability of landowner.**

5           Except as specifically recognized by or provided in § 32-6-5, an owner of land who either  
6 directly or indirectly invites or permits without charge any person to use that property for  
7 recreational purposes does not thereby:

- 8           (1) Extend any assurance that the premises are safe for any purpose;  
9           (2) Confer upon that person the legal status of an invitee or licensee to whom a duty of  
10 care is owed; nor  
11           (3) Assume responsibility for or incur liability for any injury to any person or property  
12 caused by an act of omission of that person.

13           This act would take effect upon passage.

=====  
LC001295  
=====