

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H1/22/13
A Bill

HOUSE BILL 1020

By: Representatives Jett, Sabin, Ferguson, Copenhaver, Ratliff, Baine, Baltz, Broadaway, Catlett, Hillman, Magie, McElroy, Richey, T. Thompson, W. Wagner, Wardlaw, D. Whitaker, Wren

For An Act To Be Entitled

AN ACT TO EXTEND THE LIMITATION OF LIABILITY FOR PERMITTING THE RECREATIONAL USE OF LAND TO A LANDOWNER WHO PERMITS THE FREE USE OF THE LANDOWNER'S PROPERTY FOR FLYING AND LANDING AIRCRAFT; AND FOR OTHER PURPOSES.

Subtitle

TO EXTEND THE LIMITATION OF LIABILITY FOR PERMITTING THE RECREATIONAL USE OF LAND TO A LANDOWNER WHO PERMITS THE FREE USE OF THE LANDOWNER'S PROPERTY FOR FLYING AND LANDING AIRCRAFT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 18-11-302 is amended to read as follows:

18-11-302. Definitions.

As used in this subchapter:

(1) "Aviation" means taking off, flying, or landing an airplane or aircraft;

~~(1)~~(2) "Charge" means an admission fee for permission to go upon or use the land, but does not include:

(A) The sharing of game, fish, or other products of recreational use; or

(B) Contributions in kind, services, or cash paid to reduce or offset costs and eliminate losses from recreational use;



~~(2)~~(3) "Land" means land, roads, water, watercourses, airstrips, private ways and buildings, structures, and machinery or equipment when attached to the realty;

~~(3)~~(4) "Owner" means the possessor of a fee interest, a tenant, lessee, holder of a conservation easement as defined in § 15-20-402, occupant, or person in control of the premises;

~~(4)~~(5) "Public" and "person" includes the Young Men's Christian Association, Young Women's Christian Association, Boy Scouts of America, Girl Scouts of the United States of America, Boys & Girls Clubs of America, churches, religious organizations, fraternal organizations, and other similar organizations; and

~~(5)~~(6) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof:

- (A) Hunting;
- (B) Fishing;
- (C) Swimming;
- (D) Boating;
- (E) Camping;
- (F) Picnicking;
- (G) Hiking;
- (H) Pleasure driving;
- (I) Nature study;
- (J) Water skiing;
- (K) Winter sports;
- (L) Spelunking;
- (M) Aviation;

~~(M)~~(N) Viewing or enjoying historical, archeological, scenic, or scientific sites; and

~~(N)~~(O) Any other activity undertaken for exercise, education, relaxation, or pleasure on land owned by another.

/s/Jett