

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

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: H3/25/15  
**A Bill**

SENATE BILL 528

By: Senator Burnett  
By: Representative Rushing

### For An Act To Be Entitled

*AN ACT TO AMEND THE ARKANSAS RECREATIONAL USE  
STATUTE; TO AMEND THE MEANING OF THE WORD "MALICIOUS"  
WITHIN THE RECREATIONAL USE STATUTE; AND FOR OTHER  
PURPOSES.*

### Subtitle

*TO AMEND THE MEANING OF THE WORD  
"MALICIOUS" WITHIN THE RECREATIONAL USE  
STATUTE.*

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

SECTION 1. Arkansas Code § 18-11-302, concerning definitions under the recreational use statutes, is amended to add an additional subdivision to read as follows:

(7)(A) "Malicious" means an intentional act of misconduct that the actor is aware is likely to result in harm.

(B) "Malicious" does not mean negligent or reckless conduct.

*SECTION 2. DO NOT CODIFY. Applicability.*

(a) This act applies to all causes of action that accrue on or after the effective date of this act.

(b) This act does not apply retroactively to an action filed or a cause of action that accrued before the effective date of this act.



*/s/Burnett*