

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative George**

A BILL ACT 473 OF 1991
HOUSE BILL 1124

For An Act To Be Entitled

8 "AN ACT RELATING TO THE LIABILITY OF LANDOWNERS TO
9 TRESPASSERS; AND FOR OTHER PURPOSES."

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

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13 SECTION 1. As used in this act, "trespasser" means a person who enters
14 on the property of another without any right, lawful authority, or an express
15 or implied invitation or license.

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17 SECTION 2. (a) An owner, lessee, or occupant of land does not owe a
18 duty of care to a trespasser on the land, and is not liable for any injury to
19 a trespasser on the land, and no cause of action shall arise against the
20 owner, lessee, or occupant of land except for injuries caused by the gross
21 negligence or the willful and wanton misconduct of the owner, lessee, or
22 occupant.

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24 SECTION 3. *This act does not affect the doctrine of attractive*
25 *nuisance, except that the doctrine may not be the basis for liability of an*
26 *owner, lessee, or occupant of agricultural land for any injury to a trespasser*
27 *over the age of eighteen (18) years.*

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29 SECTION 4. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 5. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without
36 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 6. All laws and parts of laws in conflict with this act are
4 hereby repealed

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/s/Lloyd George

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APPROVED: 3-12-91

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