

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H1/22/13*

# A Bill

HOUSE BILL 1020

5 By: Representatives Jett, Sabin, Ferguson, Copenhaver, Ratliff, Baine, Baltz, Broadaway, Catlett,  
6 Hillman, Magie, McElroy, Richey, T. Thompson, W. Wagner, Wardlaw, D. Whitaker, Wren  
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## For An Act To Be Entitled

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

16 TO EXTEND THE LIMITATION OF LIABILITY FOR  
17 PERMITTING THE RECREATIONAL USE OF LAND  
18 TO A LANDOWNER WHO PERMITS THE FREE USE  
19 OF THE LANDOWNER'S PROPERTY FOR FLYING  
20 AND LANDING AIRCRAFT.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 18-11-302 is amended to read as follows:

27 18-11-302. Definitions.

28 As used in this subchapter:

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

31 ~~(1)~~(2) "Charge" means an admission fee for permission to go upon  
32 or use the land, but does not include:

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

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



1           ~~(2)~~(3) “Land” means land, roads, water, watercourses, airstrips,  
2 private ways and buildings, structures, and machinery or equipment when  
3 attached to the realty;

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

7           ~~(4)~~(5) “Public” and “person” includes the Young Men’s Christian  
8 Association, Young Women’s Christian Association, Boy Scouts of America, Girl  
9 Scouts of the United States of America, Boys & Girls Clubs of America,  
10 churches, religious organizations, fraternal organizations, and other similar  
11 organizations; and

12           ~~(5)~~(6) “Recreational purpose” includes, but is not limited to,  
13 any of the following or any combination thereof:

- 14                           (A) Hunting;
- 15                           (B) Fishing;
- 16                           (C) Swimming;
- 17                           (D) Boating;
- 18                           (E) Camping;
- 19                           (F) Picnicking;
- 20                           (G) Hiking;
- 21                           (H) Pleasure driving;
- 22                           (I) Nature study;
- 23                           (J) Water skiing;
- 24                           (K) Winter sports;
- 25                           (L) Spelunking;
- 26                           (M) Aviation;

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

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

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*/s/Jett*

**APPROVED: 02/11/2013**