

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Representative Jett
6

A Bill

HOUSE BILL 1020

For An Act To Be Entitled

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

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

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25 SECTION 1. Arkansas Code § 18-11-302 is amended to read as follows:
26 18-11-302. Definitions.

27 As used in this subchapter:

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

30 ~~(1)~~(2) "Charge" means an admission fee for permission to go upon
31 or use the land, but does not include:

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

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

36 ~~(2)~~(3) "Land" means land, roads, water, watercourses, airstrips,



1 private ways and buildings, structures, and machinery or equipment when
 2 attached to the realty;

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

6 ~~(4)~~(5) "Public" and "person" includes the Young Men's Christian
 7 Association, Young Women's Christian Association, Boy Scouts of America, Girl
 8 Scouts of the United States of America, Boys & Girls Clubs of America,
 9 churches, religious organizations, fraternal organizations, and other similar
 10 organizations; and

11 ~~(5)~~(6) "Recreational purpose" includes, but is not limited to,
 12 any of the following or any combination thereof:

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

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

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

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