

LANDOWNER LIABILITY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE**Committee Note:**

The Economic Development and Workforce Services Interim Committee recommended this bill.

Legislative Vote: 9 voting for 0 voting against 5 absent

General Description:

This bill amends the definition of "recreational purpose" in Title 57, Chapter 14, Limitations on Landowner Liability.

Highlighted Provisions:

This bill:

- ▶ amends the definition of "recreational purpose" for Title 57, Chapter 14, Limitations on Landowner Liability, to include rock climbing; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-14-102, as last amended by Laws of Utah 2022, Chapter 430



Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-14-102** is amended to read:

57-14-102. Definitions.

As used in this chapter:

(1) "Charge" means the admission price or fee asked in return for permission to enter or go upon the land.

(2) "Child" means an individual who is 16 years old or younger.

(3) (a) "Land" means any land within the state boundaries.

(b) "Land" includes roads, railway corridors, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to the realty.

(4) "Owner" means the possessor of any interest in the land, whether public or private land, including a tenant, a lessor, a lessee, an occupant, or person in control of the land.

(5) "Person" includes any person, regardless of age, maturity, or experience, who enters upon or uses land for recreational purposes.

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

(a) hunting;

(b) fishing;

(c) swimming;

(d) skiing;

(e) snowshoeing;

(f) camping;

(g) picnicking;

(h) hiking;

(i) studying nature;

(j) waterskiing;

(k) engaging in water sports;

(l) engaging in equestrian activities;

(m) using boats;

(n) mountain biking;

(o) riding narrow gauge rail cars on a narrow gauge track that does not exceed 24 inch

- 59 gauge;
- 60 (p) using off-highway vehicles or recreational vehicles;
- 61 (q) viewing or enjoying historical, archaeological, scenic, or scientific sites;
- 62 (r) aircraft operations; ~~and~~
- 63 (s) equestrian activity, skateboarding, skydiving, paragliding, hang gliding, roller
- 64 skating, ice skating, walking, running, jogging, bike riding, or in-line skating[:];
- 65 (t) rock climbing; or
- 66 (u) any other similar activity or combination of similar activities.
- 67 (7) "Serious physical injury" means any physical injury or set of physical injuries that:
- 68 (a) seriously impairs a person's health;
- 69 (b) was caused by use of a dangerous weapon as defined in Section 76-1-101.5;
- 70 (c) involves physical torture or causes serious emotional harm to a person; or
- 71 (d) creates a reasonable risk of death.
- 72 (8) "Trespasser" means a person who enters on the land of another without:
- 73 (a) express or implied permission; or
- 74 (b) invitation.
- 75 Section 2. **Effective date.**
- 76 This bill takes effect on May 1, 2024.