

# H.B. 347

## LANDOWNER LIABILITY AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 4, 2013 2:52 PM

Representative **Brad R. Wilson** proposes the following amendments:

1. *Page 8, Line 216:*

216 trespasser under Subsection (2) ~~{(a)}~~ if the burden on the owner to eliminate, or to protect against

2. *Page 8, Lines 219 through 221:*

219 (c) An owner is not subject to liability for serious physical injury or death to a  
220 trespasser under Subsection (2) ~~{(a)}~~ if the serious injury or death is caused by ~~{the existence of}~~ an  
221 irrigation canal or ditch ~~{on the owner's land}~~ .

**(d) A public transit district is not subject to liability for a serious physical injury or death to a trespasser under Subsection (2) if the serious injury or death is caused by a trespasser entering into a fixed guideway, railroad right-of-way, or on transit facilities or premises in violation of Section 56-1-18.5 or Section 41-6a-1005.**

**(4) Nothing in this chapter shall impose liability on an owner except to the extent liability existed as of May 14, 2013.**

3. *Page 8, Lines 226 through 230:*

226 (1) Notwithstanding Section 57-14-202 to the contrary, a person may not make a claim  
227 against or recover from an owner of any land ~~{in developed or improved, urban or semi-rural~~  
areas}  
228 opened to the general public without charge, such as a lake, pond, park, trail, waterway, or  
229 other recreation site, for personal injury or property damage caused by the inherent risks of  
230 participating in an activity with a recreational purpose on the land.