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LANDOWNER LIABILITY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE

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

- 29 buildings, structures, and machinery or equipment when attached to the realty.
- 30 (4) "Owner" means the possessor of any interest in the land, whether public or private land,
31 including a tenant, a lessor, a lessee, an occupant, or person in control of the land.
- 32 (5) "Person" includes any person, regardless of age, maturity, or experience, who enters
33 upon or uses land for recreational purposes.
- 34 (6) "Recreational purpose" includes~~[, but is not limited to,]~~ any of the following or any
35 combination ~~[thereof]~~ of the following:
- 36 (a) hunting;
- 37 (b) fishing;
- 38 (c) swimming;
- 39 (d) skiing;
- 40 (e) snowshoeing;
- 41 (f) camping;
- 42 (g) picnicking;
- 43 (h) hiking;
- 44 (i) studying nature;
- 45 (j) waterskiing;
- 46 (k) engaging in water sports;
- 47 (l) engaging in equestrian activities;
- 48 (m) using boats;
- 49 (n) mountain biking;
- 50 (o) riding narrow gauge rail cars on a narrow gauge track that does not exceed 24 inch
51 gauge;
- 52 (p) using off-highway vehicles or recreational vehicles;
- 53 (q) viewing or enjoying historical, archaeological, scenic, or scientific sites;
- 54 (r) aircraft operations; ~~and~~
- 55 (s) equestrian activity, skateboarding, skydiving, paragliding, hang gliding, roller
56 skating, ice skating, walking, running, jogging, bike riding, or in-line skating~~[-]~~ ;
- 57 (t) rock climbing; or
- 58 (u) any other similar activity or combination of similar activities.
- 59 (7) "Serious physical injury" means any physical injury or set of physical injuries that:
- 60 (a) seriously impairs a person's health;
- 61 (b) was caused by use of a dangerous weapon as defined in Section 76-1-101.5;
- 62 (c) involves physical torture or causes serious emotional harm to a person; or

63 (d) creates a reasonable risk of death.

64 (8) "Trespasser" means a person who enters on the land of another without:

65 (a) express or implied permission; or

66 (b) invitation.

67 Section 2. **Effective date.**

68 This bill takes effect on May 1, 2024.