

SENATE FILE NO. SF0070

Landowner and lessee liability limitations.

Sponsored by: Senator(s) Driskill, Bebout, Moniz, Steinmetz
and Wasserburger and Representative(s)
Clausen, Flitner, Hunt, Lindholm, Pownall,
Sommers and Walters

A BILL

for

1 AN ACT relating to recreation liability; specifying that a
2 landowner is not liable for damages or injuries to a third
3 party caused by a person using the land for recreational
4 purposes; specifying conditions under which a state lands
5 lessee is not liable to users of improvements on those lands;
6 and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 34-19-103(a)(intro) and (iii),
11 34-19-107 and 36-5-117 are amended to read:

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13 **34-19-103. Limitations on landowner's liability.**

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1 (a) Except as specifically recognized by or provided in
2 W.S. 34-19-105, an owner of land, including a lessee of state
3 land, who either directly or indirectly invites or permits
4 without charge any person to use the land for recreational
5 purposes ~~or a lessee of state lands~~ does not thereby:

6
7 (iii) Assume responsibility for or incur liability
8 for any damage or injury to person or property, including to
9 a third party, whether or not on the property, caused by an
10 act ~~of or~~ omission of the person using the land.

11
12 **34-19-107. User liability for damages.**

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14 Any person using the land of another for recreational
15 purposes, with or without permission, shall assume the
16 inherent risk of using the land for recreational purposes and
17 shall be liable for any damage or injury to property,
18 livestock or crops ~~which may be~~ or to a third party, whether
19 or not on the property, caused by the person while on the
20 property.

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22 **36-5-117. Lessee's liability.**

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1 (a) A state lands lessee's liability to users of those
2 lands is limited as specified in W.S. 34-19-101 through
3 ~~34-19-106~~ 34-19-107. A state lands lessee's liability to
4 users of improvements upon those lands is limited to the same
5 extent, provided that:

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7 (i) The improvement is properly authorized under
8 W.S. 36-5-110 or has otherwise been authorized by the board
9 of land commissioners; and

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11 (ii) The lessee did not charge the user to use the
12 improvement.

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14 **Section 2.** This act is effective July 1, 2019.

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(END)