

ORIGINAL SENATE
FILE NO. SF0070

ENROLLED ACT NO. 35, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

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

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

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

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

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

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

34-19-107. User liability for damages.

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

36-5-117. Lessee's liability.

ORIGINAL SENATE
FILE NO. SF0070

ENROLLED ACT NO. 35, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

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

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

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk