

HCS HB 857 -- RECREATIONAL LAND USE

SPONSOR: Pollock

COMMITTEE ACTION: Voted "do pass" by the Committee on State Parks and Waterways by a vote of 11 to 0.

This substitute changes the laws regarding recreational land use. In its main provisions, the substitute:

(1) Encourages the development of trails within the right-of-way of existing railroad lines; and

(2) Establishes the Landowner Liability Protection Act to provide immunity to property owners that allow the recreational use of their property without charge. No duty of care toward individuals engaging in recreational activities or assurance of safe premises is imposed on a landowner, and individuals engaging in recreational activities will assume responsibility for their own acts and omissions. Landowners will be liable for intentional, unlawful, willful, or wanton acts that cause injury.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the bill will protect landowners when individuals are using their land or wander onto their land while engaging in certain recreational activities.

Testifying for the bill were Representative Pollock; and Missouri Park and Recreation Association.

OPPOSERS: There was no opposition voiced to the committee.