



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0932

Introduced 2/2/2005, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

745 ILCS 65/1
745 ILCS 65/2

from Ch. 70, par. 31
from Ch. 70, par. 32

Amends the Recreational Use of Land and Water Areas Act. Provides that the purpose of the Act is to encourage owners of land to make land and water areas available to any individual or, on state-owned or managed lands and waters, members of the public (rather than to the public) for recreational or conservation purposes by limiting their liability toward persons entering thereon for such purposes. Provides that residential buildings are not included in the definition of "land". Changes the definition of "recreational or conservation purpose" to include hunting, hiking, recreational shooting, operation of an off-highway vehicle, rock climbing, trapping, horseback riding of an entrant's own horse or horses, fishing, swimming, boating, camping, picnicking, water or snow skiing, sledding, and snowmobiling. Effective immediately.

LRB094 06326 LCB 36401 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Recreational Use of Land and Water Areas Act
5 is amended by changing Sections 1 and 2 as follows:

6 (745 ILCS 65/1) (from Ch. 70, par. 31)

7 Sec. 1. This Act shall be known and may be cited as the
8 "Recreational Use of Land and Water Areas Act".

9 The purpose of this Act is to encourage owners of land to
10 make land and water areas available to any individual or, on
11 State-owned or managed lands and waters, members of the public
12 for recreational or conservation purposes by limiting their
13 liability toward persons entering thereon for such purposes.

14 (Source: P.A. 85-959.)

15 (745 ILCS 65/2) (from Ch. 70, par. 32)

16 Sec. 2. As used in this Act, unless the context otherwise
17 requires:

18 (a) "Land" includes roads, water, watercourses, private
19 ways and buildings, structures, and machinery or equipment when
20 attached to the realty, but does not include residential
21 buildings.

22 (b) "Owner" includes the possessor of any interest in land,
23 whether it be a tenant, lessee, occupant, the State of Illinois
24 and its political subdivisions, or person in control of the
25 premises.

26 (c) "Recreational or conservation purpose" means entry
27 onto the land of another to conduct any of the following
28 activities or a combination thereof, hunting, hiking,
29 recreational shooting, operation of an off-highway vehicle,
30 rock climbing, trapping, horseback riding of the entrant's own
31 horse or horses, fishing, swimming, boating, camping,

1 picnicking, water or snow skiing, sledding, and snowmobiling.
2 ~~any activity undertaken for conservation, resource management,~~
3 ~~exercise, education, relaxation, or pleasure on land owned by~~
4 ~~another.~~

5 (d) "Charge" means an admission fee for permission to go
6 upon the land, but does not include: the sharing of game, fish
7 or other products of recreational use; or benefits to or
8 arising from the recreational use; or contributions in kind,
9 services or cash made for the purpose of properly conserving
10 the land.

11 (e) "Person" includes any person, regardless of age,
12 maturity, or experience, who enters upon or uses land for
13 recreational purposes.

14 (Source: P.A. 85-959.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.