



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB4536

Introduced 1/11/2006, by Rep. Patrick J Verschoore

#### 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 for State-owned or managed lands and waters to be included in the Act. Provides new definition for "recreational or conservation purpose" to include numerous activities or combinations of activities such as hunting, hiking, rock climbing, trapping, fishing, swimming, boating or any activity undertaken for resource management, exercise, education, pleasure, and the operation of any off-highway vehicle to pursue any of those activities. Effective immediately.

LRB094 16879 AJO 52158 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. 94-625, eff. 8-18-05.)

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 or residential property.

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, rock climbing, trapping, horseback  
30 riding of the entrant's own horse or horses, fishing, swimming,  
31 boating, camping, picnicking, any activity undertaken for

1 conservation, resource management, exercise, education,  
2 relaxation, or pleasure, and the operation of an off-highway  
3 vehicle to pursue any of the listed activities ~~hunting or~~  
4 ~~recreational shooting or a combination thereof or any activity~~  
5 ~~solely related to the aforesaid hunting or recreational~~  
6 ~~shooting.~~

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

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

16 (Source: P.A. 94-625, eff. 8-18-05.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.