

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 2, 4, 6, and 7 as follows:

6 (745 ILCS 65/2) (from Ch. 70, par. 32)

7 Sec. 2. As used in this Act, unless the context otherwise
8 requires:

9 (a) "Land" includes roads, land, water, watercourses,
10 private ways and buildings, structures, and machinery or
11 equipment when attached to the realty, but does not include
12 residential buildings or residential property.

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

17 (c) "Recreational or conservation purpose" means:

18 (1) entry onto the land of another to conduct
19 hunting or recreational shooting or a combination
20 thereof or any activity solely related to the aforesaid
21 hunting or recreational shooting; ~~or-~~

22 (2) entry by the general public onto the land of
23 another for any activity undertaken for conservation,

1 resource management, educational, or outdoor
2 recreational use.

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

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

12 (f) "Invites", for the purposes of this Act, means the
13 words or conduct of the owner would lead a reasonable
14 person to believe that the owner desires the particular
15 person to enter the land to the exclusion of the general
16 public. No economic interest on the part of the owner is
17 required.

18 (g) "Permits", for the purposes of this Act, means the
19 words or conduct of the owner would lead a reasonable
20 person to believe that the owner is willing to allow the
21 general public to enter the land. The words or conduct of
22 the owner inviting (i) the general public to enter the land
23 or (ii) particular persons to enter the land for a
24 recreational or conservation purpose as defined in
25 paragraph (1) of subsection (c) of this Section shall be
26 construed as "permits" for purposes of this Act.

1 The changes to this Section made by this amendatory Act of
2 the 98th General Assembly apply only to causes of action
3 accruing on or after the effective date of this amendatory Act
4 of the 98th General Assembly.

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

6 (745 ILCS 65/4) (from Ch. 70, par. 34)

7 Sec. 4. Except as specifically recognized by or provided in
8 Section 6 of this Act, an owner of land who ~~either directly or~~
9 ~~indirectly invites or~~ permits without charge any person to use
10 such property for recreational or conservation purposes does
11 not thereby:

12 (a) Extend any assurance that the premises are safe for
13 any purpose.

14 (b) (Blank). ~~Confer upon such person the legal status~~
15 ~~of an invitee or licensee to whom a duty of care is owed.~~

16 (c) Assume responsibility for or incur liability for
17 any injury to person or property caused by an act or
18 omission of such person or any other person who enters upon
19 the land.

20 (d) Assume responsibility for or incur liability for
21 any injury to such person or property caused by any natural
22 or artificial condition, structure or personal property on
23 the premises.

24 The changes to this Section made by this amendatory Act of
25 the 98th General Assembly apply only to causes of action

1 accruing on or after the effective date of this amendatory Act
2 of the 98th General Assembly.

3 (Source: P.A. 86-414.)

4 (745 ILCS 65/6) (from Ch. 70, par. 36)

5 Sec. 6. Nothing in this Act limits in any way any liability
6 which otherwise exists:

7 (a) For willful and wanton failure to guard or warn
8 against a dangerous condition, use, structure, or
9 activity.

10 (b) For injury suffered in any case where the owner of
11 land invites, as defined in subsection (f) of Section 2 of
12 this Act, or charges the person or persons who enter or go
13 on the land for the recreational use thereof, ~~except that~~
14 ~~in the case of land leased to the State or a subdivision~~
15 ~~thereof, any consideration received by the owner for such~~
16 ~~lease is not a charge within the meaning of this Section.~~

17 The changes to this Section made by this amendatory Act of
18 the 98th General Assembly apply only to causes of action
19 accruing on or after the effective date of this amendatory Act
20 of the 98th General Assembly.

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

22 (745 ILCS 65/7) (from Ch. 70, par. 37)

23 Sec. 7. Nothing in this Act shall be construed to:

24 (a) (Blank). ~~Create a duty of care or ground of liability~~

1 ~~for injury to persons or property.~~

2 (b) Relieve any person using the land of another for
3 recreational purposes from any obligation which he may have in
4 the absence of this Act to exercise care in his use of such
5 land and in his activities thereon, or from the legal
6 consequences of failure to employ such care.

7 The changes to this Section made by this amendatory Act of
8 the 98th General Assembly apply only to causes of action
9 accruing on or after the effective date of this amendatory Act
10 of the 98th General Assembly.

11 (Source: Laws 1965, p. 2263.)

12 Section 99. Effective date. This Act takes effect January
13 1, 2014.