

# HB3999



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

**HB3999**

by Rep. Marcus C. Evans, Jr.

### SYNOPSIS AS INTRODUCED:

745 ILCS 65/2

from Ch. 70, par. 32

Amends the Recreational Use of Land and Water Areas Act. Provides that "owner" includes railroads and public or private utilities. Effective immediately.

LRB100 11544 HEP 22128 b

A BILL FOR

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 Section 2 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, railroad,  
16 public or private utility, or person in control of the  
17 premises.

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

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

23 (2) entry by the general public onto the land of

1 another for any activity undertaken for conservation,  
2 resource management, educational, or outdoor  
3 recreational use.

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

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

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

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

1 construed as "permits" for purposes of this Act.

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

6 (Source: P.A. 98-522, eff. 1-1-14.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.