



## 93RD GENERAL ASSEMBLY

### State of Illinois

2003 and 2004

HB7326

Introduced 9/22/2004, by Rep. Thomas Holbrook

#### 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 members of the public (now, to make land and water areas available 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, pleasure driving, motorcycling, operation of an all terrain vehicle, rock climbing, trapping, horseback riding of an entrant's own horse or horses, fishing, swimming, boating, camping, picnicking, nature study, water or snow skiing, sledding, snowmobiling, other summer and winter sports, and viewing or enjoying historical, archaeological, scenic, or scientific sites (now, defined as any activity undertaken for conservation, resource management, exercise, education, relaxation, or pleasure). Effective immediately.

LRB093 23377 LCB 53361 b

1 AN ACT concerning recreation.

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  
11 members of the public for recreational or conservation purposes  
12 by limiting their liability toward persons entering thereon for  
13 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, including but not limited  
29 to: hunting, hiking, pleasure driving, motorcycling, operation  
30 of an all terrain vehicle, rock climbing, trapping, horseback  
31 riding of the entrant's own horse or horses, fishing, swimming,

1 boating, camping, picnicking, nature study, water or snow  
2 skiing, sledding, snowmobiling, other summer and winter  
3 sports, and viewing or enjoying historical, archaeological,  
4 scenic, or scientific sites while going to and from or actually  
5 engaged therein and other similar activities ~~any activity~~  
6 ~~undertaken for conservation, resource management, exercise,~~  
7 ~~education, relaxation, or pleasure on land owned by another.~~

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

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

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

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