



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0494

Introduced 2/4/2009, by Rep. John A. Fritchey

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 make land and water areas available (instead of available to any individuals or members of the public) for recreational or conservation purposes by limiting liability to others. Provides that the definition of land used for recreational or conservation purposes does not include residential buildings (instead of does not include residential buildings). Provides that recreational or conservation purpose means: (1) entry by individuals or members of the public (instead of entry) onto the land of another for hunting, recreational shooting, a related activity, or (2) entry by the general public onto the land of another for conservation, restoration, resource management, exercise, educational purposes, or any combination of those activities (instead of hunting, recreational shooting, or related activities). Effective immediately.

LRB096 08415 AJ0 18528 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~~
11 ~~members of the public~~ for recreational or conservation
12 purposes, as set forth in subsection (c) of Section 2, by
13 limiting their liability toward persons entering thereon for
14 such purposes.

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

16 (745 ILCS 65/2) (from Ch. 70, par. 32)

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

19 (a) "Land" includes land, roads, water, watercourses,
20 private ways and buildings, structures, and machinery or
21 equipment ~~when~~ attached to the realty, ~~but~~ Land used for a
22 recreational or conservation purpose, as set forth in paragraph

1 (1) of subsection (c) of this Section, does not include
2 residential buildings or residential property.

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

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

8 (1) entry by individuals or members of the public onto
9 the land of another to conduct hunting or recreational
10 shooting or a combination thereof or any activity solely
11 related to the aforesaid hunting or recreational shooting;
12 or

13 (2) entry by the general public onto the land of
14 another for any activity undertaken for conservation,
15 restoration, resource management, education, nature study
16 and exploration, exercise, outdoor recreational use, any
17 combination thereof, or any use solely related to such
18 activities.

19 (d) "Charge" means an admission fee for permission to go
20 upon the land, but does not include: the sharing of game, fish
21 or other products of recreational use; or benefits to or
22 arising from the recreational use; or contributions in kind,
23 services or cash made for the purpose of properly conserving
24 the land.

25 (e) "Person" includes any person, regardless of age,
26 maturity, or experience, who enters upon or uses land for

1 recreational purposes.

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

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.