

HOUSE BILL 810

Introduced by Swysgood, et al.

2/13	Introduced
2/13	Referred to Judiciary
2/13	First Reading
2/22	Hearing
2/22	Tabled in Committee

1 HOUSE BILL NO. 810  
 2 INTRODUCED BY Simpson, J. J.  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT THE LIABILITY  
 5 OF FOREST LAND OWNERS WITH RESPECT TO FIREWOOD GATHERERS."  
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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 NEW SECTION. **Section 1.** Liability of owners of forest  
 9 land. For the purposes of this section, the following  
 10 definitions apply:

11 (1) (a) "Firewood gatherer" means a person who enters  
 12 onto forest land with or without the consent of the owner of  
 13 the forest land or by payment of a fee in order to gather or  
 14 cut wood for use as firewood.

15 (b) "Forest land" means any privately owned land being  
 16 held and used for the continuous purpose of growing and  
 17 harvesting trees of a marketable species.

18 (2) An owner of forest land is not liable to a firewood  
 19 gatherer for damages or injuries to the firewood gatherer  
 20 arising from the condition of the forest land or the forest  
 21 products attached to or upon the forest land unless the  
 22 damage or injury is caused by the gross negligence,  
 23 recklessness, or intentional misconduct of the owner of the  
 24 forest land.

25 NEW SECTION. **Section 2.** Codification instruction.

1 [Section 1] is intended to be codified as an integral part  
 2 of Title 27, chapter 1, part 7, and the provisions of Title  
 3 27, chapter 1, part 7, apply to [section 1].

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