

SENATE BILL NO. 421

2/14 Introduced
2/15 Referred to Judiciary
2/22 Hearing
2/23 Committee Report-Bill Pass As Amended
2/26 2nd Reading Pass As Amended
2/27 3rd Reading Pass

Transmitted to House

3/06 Referred to Judiciary
3/26 Hearing
Died in Committee

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Senate BILL NO. *421*

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INTRODUCED BY

Stacy

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
5 LIMITATION OF LIABILITY OF A LANDOWNER OR TENANT TOWARD
6 PERSONS MAKING RECREATIONAL USE OF SURFACE WATERS ADJACENT
7 TO THE LANDOWNER'S OR TENANT'S LAND."

8

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10

Section 1. Restriction on liability of landowner or

11

tenant during recreational use of waters or land by public.

12

No person who makes recreational use of surface waters

13

flowing over or through any land in the possession or under

14

the control of another or land while portaging around or

15

over barriers or who engages in any other use of land

16

incidental to the recreational use of the waters has the

17

status of invitee or licensee; nor is he owed any duty by a

18

landowner or tenant other than the duty to avoid willful or

19

wanton misconduct.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 SENATE BILL NO. 421
2 INTRODUCED BY STORY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
5 LIMITATION OF LIABILITY OF A LANDOWNER, HIS AGENT, OR HIS
6 TENANT TOWARD PERSONS MAKING RECREATIONAL USE OF SURFACE
7 WATERS ADJACENT TO THE LANDOWNER'S, HIS AGENT'S, OR HIS
8 TENANT'S LAND."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Restriction on liability of landowner,
12 AGENT, or tenant during recreational use of waters or land
13 by public. No person who makes recreational use of surface
14 waters flowing over or through any land in the possession or
15 under the control of another or land while portaging around
16 or over barriers or who engage in any other use of land
17 incidental to the recreational use of the waters has the
18 status of invitee or licensee; nor is he owed any duty by a
19 landowner, HIS AGENT, or HIS tenant other than the duty to
20 avoid willful or wanton misconduct.

-End-

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19 landowner, HIS AGENT, or HIS tenant other than the duty to
20 avoid willful or wanton misconduct.

21 SECTION 2. COORDINATION INSTRUCTION. IF HOUSE BILL NO.
22 265 IS PASSED AND APPROVED, SECTION 1 OF THIS ACT IS VOID.

-End-



THIRD READING
SB 421