

Amendment to HB 1579

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Propagation of Fish and Game; Liability of Landowners; Duty of Care. Amend RSA 212:34, I  
4 to read as follows:

5 I. In this section:

6 (a) "Charge" means a payment or fee paid by a person to the landowner for entry upon,  
7 or use of the premises, for outdoor recreational activity. ***A contribution or other voluntary***  
8 ***payment not required to be made to use such land shall not be considered a charge or fee***  
9 ***within the meaning of this section. In addition, a lease of such land for said purposes to***  
10 ***the state or any political subdivision thereof, or to any nonprofit corporation, trust, or***  
11 ***association, shall not be considered a charge.***

12 (b) "Landowner" means an owner, lessee, holder of an easement, occupant of the  
13 premises, or person managing, controlling, or overseeing the premises on behalf of such owner,  
14 lessee, holder of an easement, or occupant of the premises, ***including the state or any political***  
15 ***subdivision.***

16 (c) "Outdoor recreational activity" means outdoor recreational pursuits including, but  
17 not limited to, hunting, fishing, trapping, camping, horseback riding, bicycling, water sports, winter  
18 sports, snowmobiling as defined in RSA 215-C:1, XV, operating an OHRV as defined in RSA 215-A:1,  
19 V, hiking, ice and rock climbing or bouldering, or sightseeing upon or removing fuel wood from the  
20 premises.

21 (d) "Premises" means the land owned, managed, controlled, or overseen by the  
22 landowner upon which the outdoor recreational activity subject to this section occurs. ***For the***  
23 ***purpose of this section, "land" shall include railroad property and railroad rights-of-way***  
24 ***to which public access is permitted.***

25 2 New Paragraph; Limitation of Actions; Landowner Liability Limited. Amend RSA 508:14 by  
26 inserting after paragraph III the following new paragraph:

27 IV. In this section, "land" shall include railroad property and railroad rights-of-way. A  
28 contribution or other voluntary payment not required to be made to use such land shall not be  
29 considered a charge or fee within the meaning of this section. Nor shall a lease of such land for said  
30 purposes to the state or any political subdivision thereof or to any nonprofit corporation, trust, or  
31 association be considered a charge.

32 3 Effective Date. This act shall take effect 60 days after its passage.