

CHAPTER 165
HB 290 – FINAL VERSION

2015 SESSION

15-0593
10/06

HOUSE BILL **290**

AN ACT relative to the acceptance of risk in outdoor recreational activities.

SPONSORS: Rep. R. Brown, Graf 2; Rep. Rideout, Coos 7; Rep. Estevez, Hills 37;
Sen. Woodburn, Dist 1; Sen. Fuller Clark, Dist 21

COMMITTEE: Judiciary

ANALYSIS

This bill provides that persons who engage in outdoor recreational activities accept the dangers inherent in such activities and shall not maintain a legal action against an owner for resulting injuries.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the acceptance of risk in outdoor recreational activities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 165:1 New Paragraph; Duty of Care; Acceptance of Risk; Outdoor Recreational Activities.
2 Amend RSA 212:34 by inserting after paragraph VII the following new paragraph:

3 VIII. It is recognized that outdoor recreational activities may be hazardous. Therefore, each
4 person who participates in outdoor recreational activities accepts, as a matter of law, the dangers
5 inherent in such activities, and shall not maintain an action against an owner, occupant, or lessee of
6 land for any injuries which result from such inherent risks, dangers, or hazards. The categories of
7 such risks, hazards, or dangers which the outdoor recreational participant assumes as a matter of
8 law include, but are not limited to, the following: variations in terrain, trails, paths, or roads,
9 surface or subsurface snow or ice conditions, bare spots, rocks, trees, stumps, and other forms of
10 forest growth or debris, structures on the land, equipment not in use, pole lines, fences, and collisions
11 with other objects or persons.

12 165:2 Effective Date. This act shall take effect January 1, 2016.

13

14 Approved: June 26, 2015

15 Effective Date: January 1, 2016