



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5519

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 does not include residential buildings (instead of residential buildings or residential property). 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, resource management, exercise, or educational purposes (instead of hunting, recreational shooting, or related activities). Effective immediately.

LRB095 17235 AJO 43295 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 purposes
12 by limiting their liability toward persons entering thereon for
13 such purposes.

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

15 (745 ILCS 65/2) (from Ch. 70, par. 32)

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

18 (a) "Land" includes roads, water, watercourses, private
19 ways and buildings, structures, and machinery or equipment when
20 attached to the realty, but does not include residential
21 buildings ~~or residential property~~.

22 (b) "Owner" includes the possessor of any interest in land,

1 whether it be a tenant, lessee, occupant, the State of Illinois
2 and its political subdivisions, or person in control of the
3 premises.

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

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

10 (2) entry by the general public onto the land of
11 another for any activity undertaken for conservation,
12 resource management, exercise, or education.

13 (d) "Charge" means an admission fee for permission to go
14 upon the land, but does not include: the sharing of game, fish
15 or other products of recreational use; or benefits to or
16 arising from the recreational use; or contributions in kind,
17 services or cash made for the purpose of properly conserving
18 the land.

19 (e) "Person" includes any person, regardless of age,
20 maturity, or experience, who enters upon or uses land for
21 recreational purposes.

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.