
By: Delegate Shriver

Rules suspended

Introduced and read first time: March 10, 1997

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Public Recreation on Private and Public Land**

3 FOR the purpose of modifying certain definitions that pertain to public recreation on
4 private and public land; clarifying that certain limited liability protections apply to
5 private and public land; making a certain stylistic change; and generally relating to
6 public recreation on private and public land.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 5-1101 to be under the amended subtitle "Subtitle 11. Public Recreation on
10 Private and Public Land"
11 Annotated Code of Maryland
12 (1989 Replacement Volume and 1996 Supplement)

13 BY adding to
14 Article - Natural Resources
15 Section 5-1102.1
16 Annotated Code of Maryland
17 (1989 Replacement Volume and 1996 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Natural Resources**

21 Subtitle 11. Public Recreation on Private AND PUBLIC Land.

22 5-1101.

23 (a) In this subtitle the following words have the meanings indicated.

24 (b) (1) "Charge" means price or fee asked for services, entertainment,
25 recreation performed, or products offered for sale on land or in return for invitation or
26 permission to enter or go upon land.

2

1 (2) "CHARGE" DOES NOT INCLUDE A FEE CHARGED BY A PUBLIC
2 AGENCY THAT THE AGENCY DETERMINES ONLY COVERS THE REASONABLE COSTS
3 OF MAKING THE LAND AVAILABLE TO USERS.

4 (c) "Educational purpose" includes any of the following or any combination of the
5 following: Nature study, farm visitations for purposes of learning about the farming
6 operation, practice judging of livestock, dairy cattle, poultry, other animals, agronomy
7 crops, horticultural crops, or other farm products, organized visits to farms by school
8 children, 4-H clubs, FFA clubs and others as part of their educational programs, and
9 viewing historical, archaeological, or scientific sites.

10 (d) "Land" means land, roads, water, watercourses, private ways and buildings,
11 structures, and machinery or equipment when attached to realty.

12 (e) "Owner" means [the possessor of] a PERSON WHO POSSESSES A fee interest,
13 [tenant, lessee,] TENANCY, OR LEASE or A person who possesses the premises.

14 (f) "Recreational purpose" includes the following or any combination of the
15 following: Hunting, BICYCLING, fishing, swimming, boating, camping, picnicking, hiking,
16 pleasure driving, nature study, water skiing, winter sports, horseback riding or horse
17 driving, operating motorized recreational vehicles, jogging, marathon racing, hang gliding,
18 hot air ballooning, and operating light airplanes and other forms of recreational aircraft,
19 [and] viewing or enjoying historical, archaeological, scenic, or scientific sites, AND ANY
20 OTHER RECREATIONAL USE.

21 5-1102.1.

22 THE PROVISIONS OF THIS SUBTITLE APPLY TO PUBLIC RECREATION ON
23 PRIVATE AND PUBLIC LAND.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1997.