

HOUSE BILL 112

Unofficial Copy  
N1

1998 Regular Session  
8lr0458

---

By: **Delegates Dembrow, Poole, and Donoghue**  
Introduced and read first time: January 16, 1998  
Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Public Recreation on Private Land - Historical and Cultural Reenactments**

3 FOR the purpose of expanding the definition of "educational purpose" in a certain  
4 provision of law relating to protection of property owners of land used by others  
5 for certain purposes; including in the definition organized visits for purposes of  
6 participating in or observing historical and cultural reenactments; making  
7 certain stylistic changes; and generally relating to immunity for certain  
8 landowners.

9 BY repealing and reenacting, with amendments,  
10 Article - Natural Resources  
11 Section 5-1101(c)  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1997 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Natural Resources  
16 Section 5-1104  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1997 Supplement)

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

21 **Article - Natural Resources**

22 5-1101.

23 (c) "Educational purpose" includes [any of the following or any combination of  
24 the following]:

25 (1) Nature study[.];

26 (2) [farm] FARM visitations for purposes of learning about the farming  
27 operation[.];

1           (3)     [practice] PRACTICE judging of livestock, dairy cattle, poultry, other  
2 animals, agronomy crops, horticultural crops, or other farm products[.];

3           (4)     [organized] ORGANIZED visits to farms by school children, 4-H  
4 clubs, FFA clubs, and others as part of their educational programs[.];

5           (5)     ORGANIZED VISITS FOR PURPOSES OF PARTICIPATING IN OR  
6 OBSERVING HISTORICAL REENACTMENTS AS PART OF AN EDUCATIONAL OR  
7 CULTURAL PROGRAM; and

8           (6)     [viewing] OBSERVATION OF historical, archaeological, or scientific  
9 sites.

10 5-1104.

11     Except as specifically recognized by or provided in § 5-1106 of this subtitle, an  
12 owner of land who either directly or indirectly invites or permits without charge  
13 persons to use the property for any recreational or educational purpose or to cut  
14 firewood for personal use does not by this action:

15           (1)     Extend any assurance that the premises are safe for any purpose;

16           (2)     Confer upon the person the legal status of an invitee or licensee to  
17 whom a duty of care is owed; or

18           (3)     Assume responsibility for or incur liability as a result of any injury to  
19 the person or property caused by an act of omission of the person.

20     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 1998.