

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 112 (Delegate Dembrow. *et al.*)

Environmental Matters

Public Recreation on Private Land - Historical and Cultural Reenactments

This bill expands the definition of “educational purpose” as it pertains to the law regarding the liability of landowners who allow their land to be used by others without charge for recreational or educational purposes. “Educational purpose” will now include organized visits for the purpose of participating in or observing historical reenactments as part of an educational or cultural program.

Landowners who either directly or indirectly invite or permit others to use their land without charge for any recreational or educational purpose do not: (1) assure that the land is safe for any purpose; (2) confer upon those using the land legal status of an invitee or licensee to whom a duty of care is owed; or (3) assume responsibility for or incur liability for injuries suffered.

Fiscal Summary

State Effect: None. The bill would not directly affect State operations or finances.

Local Effect: None. The bill would not directly affect local government operations or finances because it applies to the use of private land.

Small Business Effect: Potential minimal impact on small businesses. To the extent that small businesses, particularly farms, allow the use of land for recreational or educational purposes, and this use results in lawsuits against the landowner regarding perceived unsafe conditions of the land, liability for the landowner will decrease due to the expanded definition of educational purpose, and therefore, less money in damages may be paid by the landowner.

Information Source(s): Department of Natural Resources, Department of Legislative Services

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Inc

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