

2A:42A-1 et seq. December 23, 1970

LEGISLATIVE HISTORY OF R.S.2A:42A-1 et seq.
(Landowner's Liability)

Handwritten notes:
...
and 3

Previous bills:

- 1965 - S25 - Passed Senate; died in Assembly.
- 1966 - S44 - Died in Senate Committee.
- 1967 - S170 - Died in Senate Committee.
- 1967 - S460 - Died in Senate Committee.

None of these bills had statements.

L.1968 - C73 - S325.

No statement on original bill or committee substitute.
Not amended during passage.
Copies enclosed of the original bill and the
committee substitute.

No hearings or reports.

No newspaper clippings or other information was located.

JH/EH

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 325

STATE OF NEW JERSEY

ADOPTED FEBRUARY 13, 1968

AN Act relating to the liability of owners, lessees and occupants of premises towards persons entering on their premises for sport and recreational activities in certain cases, and repealing chapter 107 of the laws of 1962.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act "sport and recreational activities" means
2 includes: hunting, fishing, trapping, horseback riding, training of
3 dogs, hiking, camping, picnicking, swimming, skating, skiing, sled-
4 ding, tobogganing and any other outdoor sport, game and recrea-
5 tional activity including practice and instruction in any thereof.

1 2. Except as provided in section 3 of this act:

2 a. An owner, lessee or occupant of premises, whether or not
3 posted as provided in section 23:7-7 of the Revised Statutes, owes
4 no duty to keep the premises safe for entry or use by others for
5 sport and recreational activities, or to give warning of any haz-
6 ardous condition of the land or in connection with the use of any
7 structure or by reason of any activity on such premises to persons
8 entering for such purposes:

9 b. An owner, lessee or occupant of premises who gives permis-
10 sion to another to enter upon such premises for a sport or recrea-
11 tional activity or purpose does not thereby (1) extend any assur-
12 ance that the premises are safe for such purpose, or (2) constitute
13 the person to whom permission is granted an invitee to whom a
14 duty of care is owed, or (3) assume responsibility for or incur
15 liability for any injury to person or property caused by any act
16 of persons to whom the permission is granted.

1 3. This act shall not limit the liability which would otherwise
2 exist:

3 a. For willful or malicious failure to guard, or to warn against,
4 a dangerous condition, use, structure or activity; or

5 b. For injury suffered in any case where permission to engage
6 in sport or recreational activity on the premises was granted for

7 a consideration other than the consideration, if any, paid to said
8 landowner by the State; or

9 c. For injury caused, by acts of persons to whom permission
10 to engage in sport or recreational activity was granted, to other
11 persons as to whom the person granting permission, or the owner,
12 lessee or occupant of the premises, owes a duty to keep the prem-
13 ises safe or to warn of danger.

1 4. "An act limiting the liability of landowners of agricultural
2 lands or woodlands for personal injuries to or the death of any
3 person while hunting or fishing upon the landowner's property,"
4 approved July 6, 1962 (P. L. 1962, c. 107), is repealed.

1 5. Nothing in this act shall create a duty of care or ground of
2 liability for damages for the death or injury to person or property.

1 6. This act shall take effect July 1, 1968.