

1 SB84  
2 124236-3  
3 By Senator Allen  
4 RFD: Judiciary  
5 First Read: 01-MAR-11

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to civil liability; to limit liability of  
12 landowners who lease property for hunting or fishing purposes.  
13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. This act shall be known and may be cited  
15 as the "Landowners Protection Act."

16 Section 2. (a) A landowner who leases property for  
17 hunting or fishing purposes shall not be liable for any  
18 damages to any person based on the use of the leased property  
19 for hunting or fishing purposes.

20 (b) Section 2 may not prevent or limit the liability  
21 of a landowner who:

22 (1) Has actual knowledge at the time of the lease of  
23 a dangerous condition existing on the land that is not open  
24 and obvious, and does not make the danger known to the lessee,  
25 and the danger proximately causes injury, damage, or death to  
26 a person rightfully using the land pursuant to the lease; or,

1                   (2) Intentionally or willfully causes an injury to a  
2 person rightfully using the land pursuant to the lease.

3                   (c) Section 2 does not enlarge or diminish the open  
4 and obvious doctrine.

5                   (d) This act shall not affect the liability of a  
6 third party leasing the land.

7                   Section 3. All laws or parts of laws which conflict  
8 with this act are repealed.

9                   Section 4. This act shall become effective on the  
10 first day of the third month following its passage and  
11 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Judiciary..... 01-MAR-11

Read for the second time and placed on the calen-  
dar 1 amendment..... 24-MAR-11

Read for the third time and passed as amended .... 19-APR-11

Yeas 34  
Nays 0

Patrick Harris  
Secretary