

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

1 SB84

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4 ENROLLED, An Act,

5 Relating to civil liability; to limit liability of
6 landowners who lease property for hunting or fishing purposes.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

10 Section 2. (a) A landowner who leases property for
11 hunting or fishing purposes shall not be liable for any
12 damages to any person based on the use of the leased property
13 for hunting or fishing purposes.

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

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

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

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

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

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4 with this act are repealed.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB84
Senate 19-APR-11
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 24-MAY-11

By: Senator Allen