

3823

2009-2010 Regular Sessions

I N S E N A T E

April 2, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT directing the superintendent of insurance to study the feasibility of developing and implementing a liability reform plan for private landowners who provide public access to their lands for various recreational activities and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. Private land owners are potentially  
2 exposed to extensive civil liabilities for providing public access to  
3 their lands for recreational opportunities. Therefore, it is increasing-  
4 ly difficult to negotiate recreational opportunities that traverse  
5 private land. However, if private landowners were insulated from civil  
6 liabilities when opening up parts of their property for public recre-  
7 ational activities, such activities would increase.

8 S 2. The superintendent of insurance shall study the feasibility of  
9 developing and implementing a liability reform plan for private land  
10 owners who provide the public with access to their lands for various  
11 recreational activities including, but not limited to hunting, fishing,  
12 hiking, skiing, snow shoeing, snowmobiling, and operating all terrain  
13 vehicles. Such study shall include any relevant information which shall  
14 further the intent of this act.

15 S 3. A report of the findings of such study, recommendations of the  
16 superintendent of insurance and any proposed legislation necessary to  
17 implement such findings shall be filed with the governor, the temporary  
18 president of the senate, the speaker of the assembly, the minority lead-  
19 er of the senate, and the minority leader of the assembly within one  
20 year after the effective date of this act.

21 S 4. This act shall take effect immediately and shall expire and be  
22 deemed repealed one year after such date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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