S T A T E O F N E W Y O R K

3823--A

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 -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to direct 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:

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

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

S 3. A report of the findings of such study, recommendations of the superintendent of insurance and any proposed legislation necessary to implement such findings shall be filed with the governor, the temporary president of the senate, the speaker of the assembly, the minority lead-

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

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er of the senate and the minority leader of the assembly within one year after the effective date of this act.

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 This act shall take effect immediately and shall expire and be deemed repealed one year after such date.