

797

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. YOUNG, BONACIC, JOHNSON, RANZENHOFER -- read twice
and ordered printed, and when printed to be committed to the Committee
on Insurance

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:

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 increasingly
4 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 recreational
7 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, horseback riding, mountain
13 biking and operating all terrain vehicles. Such study shall include any
14 relevant information which shall 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 leader
19 of the senate and the minority leader of the assembly within one year
20 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22 deemed repealed one year after such date.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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